



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, March 14, 2022
6:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9**

Members of Council Mayor Nelson Santos
 Deputy Mayor Gord Queen
 Councillor Kimberly DeYong
 Councillor Tony Gaffan
 Councillor Laura Lucier
 Councillor Thomas Neufeld
 Councillor Larry Patterson

Members of
Administration: Acting CAO, R. McLeod
 Town Clerk, P. Parker

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:07 p.m. All members were present and participated in the meeting electronically from remote locations.

B. LAND ACKNOWLEDGEMENT

Mayor Santos read the following Land Acknowledgement:

We acknowledge the Three Fires Confederacy (Ojibwe, Potawatomie and Odawa) and the Traditional ancestral, unceded territory of Caldwell First Nation; the original people of Point Pelee, Pelee Island and its surrounding waters. We

recognize and respect the First Nations who are stewards of the land and waters of Turtle Island and who have embraced this stewardship since time immemorial. We would also like to acknowledge other nearby First Nations Communities and First Nations across Turtle Island.

C. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM

Mayor Santos asked for a moment of silence and reflection, followed by the National Anthem.

D. AMENDMENTS TO THE AGENDA

Councillors DeYong, Lucier and Patterson each added one Announcement.

E. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of 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.

F. REPORT OUT OF CLOSED SESSION

Report out from Closed Session--February 28, 2022

Mayor Santos reported that Council met in closed session at its Regular Meeting held on February 28, 2022 at 7:30 p.m. to discuss one item as provided for under Section 239(2) of the Municipal Act. The item was heard under section 239(2)(f) of the Act, and there is nothing further to report on the matter.

Report out from Closed Session--March 3, 2022

Mayor Santos reported that Council met in closed session at its Special Meeting held on March 3, 2022 at 6:02 p.m. to discuss one item as provided for under Section 239(2) of the Municipal Act. The item was heard under section 239(2)(b) and section 239(2)(d) of the Act and there is nothing further to report on the matter.

G. REPORTS - COMMITTEES

1. Notice of Intent to Designate - Jack and Laona Miner House

Sarah Sacheli, Chair, Kingsville Municipal Heritage Advisory Committee

i) Update report on the Committee's 2021 accomplishments and activities.

Ms. Sacheli reported on the Committee's 2021 accomplishments and activities.

Following the update, Ms. Sacheli presented an overview of the following:

ii) **Report regarding the Jack and Laona Miner House, 332 Road 3 West, Kingsville** SEE: a) Report of S. Kitchen, Deputy Clerk-Council Services dated February 25, 2022 RE: Recommendation Report--Intention to Designate Under Part IV, Section 29 of the Ontario Heritage Act; b) Research Report of the Committee dated March, 2022, together with proposed By-law schedule describing and listing the heritage attributes of the property proposed for designation; and c) Letter of Consent to designation received from the property owner.

165-03142022

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

THAT the Clerk BE AUTHORIZED to publish and serve a Notice of Intention to Designate the Jack and Laona Miner House at 332 Road 3 West in accordance with the Ontario Heritage Act.

CARRIED

H. DELEGATIONS

There were no delegations.

I. MATTERS SUBJECT TO NOTICE

1. Application for Zoning Amendment File ZBA/04/20 & Site Plan Approval File SPA/03/20 by 1713483 Ontario Limited 60 Main Street West Part of Lots 10 & 11, Plans 184 & 185

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Site Plan Approval dated February 16, 2022;

ii) Report of K. Brcic, Town Planner, dated February 25, 2022;

iii) Proposed By-law 20-2022, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Mr. Brown presented the Report dated February 25, 2022, and fielded questions of Council.

Comments from the Applicant:

The Applicant, Mr. Gino DiGiovanni, commented that he did not post the Notice Sign in connection with this application on his property, as required under the Planning Act.

There were no comments from the public.

166-03142022

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council defers the Application for Zoning Amendment File ZBA/04/20 and Site Plan Approval File SPA/03/20 by 1713843 Ontario Limited until required notice provisions are fulfilled, including posting of Notice Sign.

CARRIED

J. REPORTS - COMMUNITY AND DEVELOPMENT SERVICES

No reports at this time.

K. REPORTS - FINANCIAL SERVICES AND INFORMATION TECHNOLOGY

No reports at this time.

L. REPORTS - FIRE SERVICES

No reports at this time.

M. REPORTS - INFRASTRUCTURE AND ENGINEERING

1. 2022 Capital Projects – Tender Approvals

The Manager of Engineering provided an overview of the report.

167-03142022

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That recommended actions 2, 3 and 4 of the Report of the Manager of Engineering be approved as follows:

2. That the 2022 Rural Road Program Tender BE AWARDED to Shepley Road Maintenance Ltd. in the amount of \$1,290,094 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement; and

3. That the Cedar Island Park and Subdivision Rehabilitation Tender BE AWARDED to Piera Con Enterprises Inc. in the amount of \$1,030,487 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement, and further, that a draw of up to \$260,000 from Roads Lifecycle Reserves (03-000-032-39075) and an additional draw of up to

\$100,000 from Waterline Maintenance Reserves BE APPROVED (03-000-032-39005); and

4. That the Queen Blvd Subdivision Reconstruction RFP BE AWARDED to HRYCAY Consulting Engineers Inc. in the amount of \$98,950 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement.

CARRIED

Prior to the discussion pertaining to recommended action 1 of the Report of the Manager of Engineering, Mayor Santos brought forward Agenda Item S-1 (Unfinished Business item) which motion had been deferred to this Meeting:

S.1 Motion 158-02282022 (that project PW-2022-10, being a project to resurface Division St. North from Water Street to Palmer Drive to include dedicated bike lands on both sides of the road spanning the length of said project AND THAT the centre turning lane within the project area be eliminated to accommodate the space necessary for dedicated bike lanes).

The Manager of Engineering fielded questions of Council.

168-03142022

Moved By Councillor Thomas Neufeld

Seconded By Deputy Mayor Gord Queen

WHEREAS cycling is a social, healthy and green economical mode of transportation; and

WHEREAS the Province of Ontario recognizes bicycles as valid vehicles for use on most roads save and except Ontario's 400 series highways; and

WHEREAS it is strongly discouraged to ride a bicycle on a sidewalk; and

WHEREAS cycling is an alternative to driving, helping to prevent carbon dioxide emissions; and

WHEREAS investing in cycling infrastructure is very important to reduce the risk of injury or death from collisions between cars and cyclists; and

WHEREAS the Town of Kingsville supports the initiatives of the County Wide Active Transportation System network of trails and links; and

WHEREAS Kingsville has a relatively flat topography, conducive to cycling; and

WHEREAS the Town of Kingsville's Active Transportation Advisory Committee recommended inclusion of cycling infrastructure on all road redevelopment projects; and

WHEREAS complete streets are for every person and user and should provide a facility to support active transportation; and

WHEREAS the Town of Kingsville has adopted its own Active Transportation Master Plan in 2012.

NOW THEREFORE BE IT RESOLVED that project PW-2022-10 being a project to resurface Division St. North from Water St. to Palmer Dr. to include dedicated bike lanes on both sides of the road spanning the length of said project AND THAT the centre turning lane within the project area be eliminated to accommodate the space necessary for dedicated bike lanes.

LOST

169-03142022

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approve recommendation number 1 in the report of the Manager of Engineering as follows:

1. That the 2022 Urban Road Program Tender BE AWARDED to Coco Paving Inc. in the amount of \$1,365,061 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement, and further, Council endorse the vehicle lane widths for Division Street North as attached in Appendix A.

Amendment:

170-03142022

Moved By Councillor Laura Lucier

Seconded By Deputy Mayor Gord Queen

That Council directs increase in edge lines to 1 metre inclusive of gutters.

CARRIED

Motion as Amended:

169-03142022

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approve recommendation number 1 in the report of the Manager of Engineering as amended, as follows:

1. That the 2022 Urban Road Program Tender BE AWARDED to Coco Paving Inc. in the amount of \$1,365,061 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement, and further, Council endorse the vehicle lane widths for Division Street North as attached in Appendix A with an increase of edge lines to 1 metre inclusive of gutters.

CARRIED

At 8:00 p.m. Mayor Santos called for a recess, and the meeting reconvened at 8:05 p.m.

2. Regional Food and Organics Waste Management Program

The Manager of Public Works and Environmental Services provided an overview of the report.

171-03142022

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

1. That the Town of Kingsville will not participate in the short-term service contract for the Regional Food and Organics Waste Management Program proposed by Essex Windsor Solid Waste Authority; AND FURTHER THAT Council directs Administration to develop local programs to help encourage and support residents to decrease food waste at home.

CARRIED

N. REPORTS - LEGAL AND CLERK SERVICES

No reports at this time.

O. REPORTS - CAO's OFFICE

No reports at this time.

P. CONSENT AGENDA

1. Committee of the Whole Meeting Minutes--January 17, 2022

2. Committee of the Whole Closed Session Meeting Minutes--January 17, 2022

3. Migration Festival Committee Meeting Minutes--January 25, 2022
4. Communities in Bloom Meeting Minutes--February 1, 2022
5. Town of Tecumseh--RE: Consideration of Support for Windsor-Essex Workers
6. Regular Meeting of Council Minutes--February 14, 2022
7. County of Prince Edward--RE: Renovictions
8. Essex Region Conservation Authority--RE: ERCA 2022 Draft Budget 30-day Notice to Member Municipalities
9. Town of Bracebridge--RE: Hospital Capital Funding
10. Regular Meeting of Council Meeting Minutes--February 28, 2022
11. Regular Closed Session Meeting of Council Minutes--February 28, 2022
12. Special Meeting of Council Minutes--March 3, 2022
13. Special Closed Session Meeting of Council Minutes--March 3, 2022
14. Kingsville Military Museum--RE: 2021 and 2022 Update on the Museum's operations and activities
15. Town of Kingsville Accounts for the monthly period ended February 28, 2022
16. Statement of Remuneration & Expenses for 2021
17. Road 2 East – 2022 Construction

Councillors DeYong and Neufeld requested that Consent Agenda Item P-14 be removed, and Deputy Mayor Queen requested that item P-17 be removed.

172-03142022

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Consent Agenda items P.1 to P.13, P.15 and P.16 BE APPROVED.

CARRIED

Consent Agenda Item P.14.

Kingsville Military Museum--RE: 2021 and 2022 update on the Museum's operations and activities correspondence.

Councillor DeYong commented that the rebranding of the museum is excellent. She hopes that residents visit the museum. It is a gem in the municipality. Councillor Neufeld commented that the museum's website url is www.kingsvillemilitarymuseum.ca and there is a link to that website on the Town's website. The Museum is heavily reliant on donations. He echoed Councillor DeYong's comments that the museum is a real gem and is the history of Kingsville, and well worth touring.

173-03142022

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Consent Agenda Item P-14 BE RECEIVED.

CARRIED

Consent Agenda Item P.17--Road 2 East--2022 Construction

The Manager of Engineering provided a brief overview of the Report.

174-03142022

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Consent Agenda Item P.17 BE RECEIVED.

CARRIED

Q. CORRESPONDENCE

There were no items.

R. NOTICES OF MOTION

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

175-03142022

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

WHEREAS years ago, the Greater Essex County District School Board promised to build a new K-12 School on land they purchased in Kingsville on the East side of Jasperson;

AND WHEREAS we asked for the reasons for the years of delay, and merely received a response that they were in discussions with the Ministry of Education. It was suggested we might get an update by the end of

February. As of the evening of February 28 no additional information was received;

AND WHEREAS we have students in Kingsville Public School, Kingsville High School and Jack Miner Public School all affected by what is seen as the level of care of these old buildings. And students in each of these buildings were given in service dates that have been delayed;

AND WHEREAS the students from the Town of Essex, located in the Community of Harrow were also promised accommodation in this new School when Harrow High School was closed.

NOW THEREFORE BE IT RESOLVED that the Town of Kingsville CAO and Mayor send a formal letter to the Greater Essex County District School Board for the reasons related to the years of delay for the start of actual construction, as well as details and timelines moving forward. The above letter to be sent within ten days of the passing of this motion; And Further That a copy of the letter is sent to the following: All members of the Council of the Town of Kingsville, our Local MPP Mr. Taras Natyshak, The Minister of Education Mr. Stephen Lecce and the President of Treasury Board/Management of Cabinet Prabmeet Singh Sarkaria, and The Corporation of the Town of Kingsville.

CARRIED

S. UNFINISHED BUSINESS AND ANNOUNCEMENTS

The following item was dealt with above, during the discussion of Report M-1.

1. Motion #158-02282022 (Deferred by Motion 159-02282022)

Announcements

Councillor Patterson commented that residents are asking to help in some way to support the Ukraine people. New Designs has offered to make yellow and blue lapel ribbons. He inquired as to whether it is possible to fly the Ukrainian flag at the municipality.

176-03142022

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council supports the flying of the Ukraine flag at the municipal office.

CARRIED

Councillor DeYong announced that the Kingsville Highland Games event is 15 weeks away. Advance ticket sales at a reduced price of \$15.00 are available. Sign-up for vendors, volunteers etc. are available on the Town's website or on the Highland Games' facebook page.

Councillor Lucier commented she is planning a community pasta dinner fundraiser to be held at the Grovedale on Tuesday, April 5 and monetary donations will be collected to assist the Ukraine during these difficult times.

T. BYLAWS

1. By-law 22-2022

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its March 3, 2022 Special Meeting and its March 14, 2022 Regular Meeting.

177-03142022

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That By-law 22-2022 be read three times and finally passed and the Mayor and Clerk be authorized to sign same.

CARRIED

U. CLOSED SESSION

Pursuant to Section 239)(2) of the Municipal Act, 2001, Council will enter into Closed Session to address the following item:

ITEM 1) Personnel matter pertaining to identifiable municipal employee--

Subsection 239(2)(b)-personal matters about an identifiable individual, including municipal employees, and Subsection 239(2)(d)-labour relations or employee negotiations. Human Resources Manager J. Galea will be in attendance.

178-03142022

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

At 8:48 p.m. pursuant to Section 239)(2) of the Municipal Act, 2001, Council entered into Closed Session to address the following item:

**ITEM 1) Personnel matter pertaining to identifiable municipal employee--
Subsection 239(2)(b)-personal matters about an identifiable individual,
including municipal employees, and Subsection 239(2)(d)-labour relations
or employee negotiations.**

CARRIED

V. RISING REPORT

A rising report will be provided at the next Regular Meeting of Council.

W. ADJOURNMENT

179-03142022

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council adjourns this Regular Meeting at 8:49 p.m.

CARRIED