



REGULAR MEETING OF COUNCIL

MINUTES

Monday, March 27, 2023

6:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

PRESENT

Mayor Dennis Rogers
Deputy Mayor Kimberly DeYong
Councillor Tony Gaffan
Councillor Debby Jarvis-Chausse
Councillor Sheri Lowrie
Councillor Thomas Neufeld
Councillor Larry Patterson

John Norton, CAO
Paula Parker, Clerk

A. CALL TO ORDER

Mayor Rogers called the Regular Meeting to order at 6:01 p.m.

B. LAND ACKNOWLEDGEMENT

Mayor Rogers 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 like to acknowledge other nearby First Nations Communities and First Nations across Turtle Island.

C. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM

Mayor Rogers invited everyone to stand for a silent reflection and the national anthem.

D. MAYOR'S WELCOME AND REMARKS

Mayor Rogers said a few words of welcome.

E. AMENDMENTS TO THE AGENDA

Councillor Gaffan added one item under Announcements.

Mayor Rogers advised that Item S of this agenda is no longer necessary this evening.

F. DISCLOSURE OF PECUNIARY INTEREST

Mayor Rogers asked for disclosures of pecuniary interest. Councillor Lowrie noted an interest in Kingsville Music Society, however it is not pecuniary in nature. Mayor Rogers noted an interest in Open Streets, however because his business will be closed at the times recommended for Open Streets his interest is not pecuniary in nature.

Mayor Rogers 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.

G. REPORT OUT FROM CLOSED SESSION - March 23, 2023

Pursuant to the Municipal Act, Section 239(2), Council met in closed session on March 23, 2023 at 5:00 pm to discuss the following items:

Item I - Kingsville Fire Update heard under Section 239(2)(b) and (d). There is nothing further to report on this matter.

Item II - Committee Applications heard under Section 239(2)(b). As a result of that discussion, the following motion is before Council for consideration:

Additionally, Council will also address a portion of this discussion under Item L.1 this evening.

Item III - 200 Main Street - SPA heard under Section 239(2)(f). There is nothing further to report on this matter.

Item IV - Albuna Townline Update heard under Section 239(2)(e) and (f). There is nothing further to report on this matter.

Item V - Litigation Update heard under Section 239(2)(e) and (f). There is nothing further to report on this matter.

Item VI - By-law Enforcement heard under Section 3.1. There is nothing further to report on this matter.

Item VII - Personnel Matter heard under Section 239(2)(b) and (d). There is nothing further to report on this matter.

Moved By Councillor Neufeld

Seconded By Councillor Jarvis-Chausse

1. That the following applicants BE APPOINTED for the 2022- 2026 term of Council or until such time as successors are appointed:

- **Communities in Bloom – Jessica Towle and Karin Sonnenberg**
- **Fantasy of Lights – Maria Edwards**
- **Migration Festival – Glenda Willemsma**
- **Accessibility Advisory Committee- Jackie Barraco**

CARRIED

H. REPORTS - COMMUNITY AND DEVELOPMENT SERVICES

1. 2023 Open Streets

It was noted, prior to Council discussion on this matter that July 29 was inadvertently left out of the administrative recommendation and should be added to the recommended action for consideration.

Moved By Councillor Neufeld

Seconded By Councillor Patterson

1. That the road closures of Main Streets (from Spruce Street to Queen Street) and Division Street (from King Street to Pearl Street) for the Kingsville Open Street events BE APPROVED on the following dates and times.

- a. July 1 Canada Day from 2:30 P.M. to 10:30 P.M.**
- b. August 26 from 4 P.M. to 10:30 P.M**

For (3): Deputy Mayor DeYong, Councillor Neufeld, and Councillor Patterson

Against (4): Mayor Rogers, Councillor Gaffan, Councillor Jarvis-Chausse, and Councillor Lowrie

LOST (3 to 4)

Moved By Deputy Mayor DeYong
Seconded By Councillor Neufeld

1. That **Open Streets BE APPROVED** in Cottam on:
 - a. **July 22 from 3 P.M. to 10:30 P.M**
2. That **Administration BE DIRECTED** to request County Council to close County Road 34 West from Victoria Street to Country Road 27, from 3 P.M. to 10:30 P.M., to host Open Streets in Cottam and in the event that County Council denies the request to close the road, an alternative location be used to hold the event.

For (5): Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Neufeld, and Councillor Patterson

Against (2): Mayor Rogers and Councillor Lowrie

CARRIED (5 to 2)

Moved By Councillor Gaffan
Seconded By Deputy Mayor DeYong

1. That the road closures of **Main Streets (from Spruce Street to Queen Street) and Division Street (from King Street to Pearl Street)** for the Kingsville Open Street events **BE APPROVED** on the following dates and times.
 - a. **July 8 from 4 P.M. to 10:30 P.M.**
 - b. **July 15 from 4 P.M. to 10:30 P.M.**
 - c. **July 29 from 4 P.M. to 10:30 P.M.**
 - d. **August 19 from 4 P.M. to 10:30 P.M.**
 - e. **August 26 from 4 P.M. to 10:30 P.M.**

For (4): Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, and Councillor Lowrie

Against (3): Mayor Rogers, Councillor Neufeld and Councillor Patterson

CARRIED (4 to 3)

2. Kingsville Music Society

The CAO highlighted for Council that consideration of this recommendation includes a pre-commitment of funds to budget years 2024, 2025 and 2026.

Moved By Deputy Mayor DeYong

Seconded By Councillor Neufeld

1. That administration **BE DIRECTED** to enter into an agreement with Kingsville Music Society for \$25,000 per year for the four (4) year term of this elected Council.

For (7): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Against (0):

CARRIED (7 to 0)

I. REPORTS - FINANCIAL SERVICES AND INFORMATION TECHNOLOGY

No reports.

J. REPORTS - FIRE SERVICES

No reports.

K. REPORTS - INFRASTRUCTURE AND ENGINEERING

1. Road 2 East – Phase 3 Tender Award

Moved By Councillor Patterson

Seconded By Councillor Gaffan

1. That the Road 2 East Phase 3 Reconstruction Tender (Contract #23-103) **BE AWARDED** to Major Construction (2010) Ltd. in the amount of \$7,756,248 (excluding HST) and the Mayor and Clerk **BE AUTHORIZED** to execute the requisite agreement.

For (7): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Against (0):

CARRIED (7 to 0)

L. REPORTS - LEGAL AND BUILDING SERVICES

No reports.

M. REPORTS - CAO's OFFICE

1. Union Water Supply System Inc. – Interim Board Appointment

Moved By Councillor Gaffan

Seconded By Councillor Lowrie

- 1. That the Deputy Mayor BE APPOINTED to the Interim Board of Directors of the Union Water Supply System Inc. until the earlier of September 1, 2023, or the appointment of the Permanent Board of Directors of the Union Water Supply System Inc.**

For (7): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Against (0):

CARRIED (7 to 0)

N. CONSENT AGENDA

The Deputy Mayor noted an amendment to Item F2 of the February 27 Regular Council Meeting Minutes. The Clerk advised that the amendment would be made to the minutes and the minutes should be received "as amended."

Moved By Councillor Patterson

Seconded By Councillor Jarvis-Chausse

That the Consent Agenda **BE RECEIVED** as amended:

- 1. 2022 Drinking Water Summary Report**
- 2. Statement of Remuneration & Expenses for 2022**
- 3. Communities in Bloom Minutes - February 7, 2023**
- 4. Heritage Advisory Committee Minutes - February 7, 2023**
- 5. Business Improvement Area Board Minutes - February 9, 2023**
- 6. Business Improvement Area Board AGM Minutes - April 26, 2022**
- 7. Committee of Adjustment and Appeals Minutes - February 14, 2023**
- 8. Regular Council Meeting Minutes - February 27, 2023**

CARRIED

O. CORRESPONDENCE

Moved By Deputy Mayor DeYong

Seconded By Councillor Jarvis-Chausse

That the workplace violence and harassment policy be included to the new Council Code of Conduct.

For (7): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Against (0):

CARRIED (7 to 0)

Moved By Councillor Lowrie

Seconded By Councillor Jarvis-Chausse

That the correspondence **BE RECEIVED.**

1. **Chatham-Kent - Bill 5: Stopping Harassment and Abuse by Local Leaders Act**
2. **Township of Malahide - Call to Action: Review of the Cannabis Act**
3. **Town of Petrolia - A Call to the Provincial Government to End Homelessness in Ontario**
4. **City of Cambridge - Barriers for Women in Politics**
5. **Councillor Neufeld - Cycle Tourism Conference Update**

CARRIED

P. NOTICES OF MOTION

1. **Councillor Patterson - Community Grant Process**

Moved By Councillor Patterson

Seconded By Councillor Gaffan

That Council discuss the current community grant process used in Kingsville at a Committee of the Whole or Council Meeting after the facility review is complete to provide direction to Administration regarding changes to Town policy that reflect a fair process for considering community grant applications, including but not limited to application deadlines, specific qualifications, a requirement to provide financial statements to support the application and a requirement for post-reports to be submitted by each grant applicant to qualify in preceding years.

For (5): Mayor Rogers, Councillor Gaffan, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Against (2): Deputy Mayor DeYong, and Councillor Jarvis-Chausse

CARRIED (5 to 2)

Q. UNFINISHED BUSINESS AND ANNOUNCEMENTS

Councillor Gaffan requested an update from the Mayor and/or Deputy Mayor regarding a grant the County received for affordable housing. The Mayor provided an update indicating that Augustine Villa was a candidate for grant funding in Kingsville however because their project was not shovel ready and was not lien free their application was not approved and the grant funding went to another project in Windsor. Councillor Gaffan requested that the Mayor and Deputy Mayor ask for a letter to be sent from the County to the Federal Government requesting relief from the shovel ready requirements. The Deputy Mayor advised that there is already advocacy at the County level for more dollars to be used in the county.

R. BY-LAWS

- 1. Appointment By-law - Kayla Ferguson**
- 2. Confirmatory By-law**

Moved By Deputy Mayor DeYong

Seconded By Councillor Gaffan

That By-laws 21-2023 and 22-2023 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

CARRIED

S. CLOSED SESSION

The Mayor noted at the beginning of the meeting that this item would no longer be discussed.

T. ADJOURNMENT

Moved By Councillor Patterson

Seconded By Councillor Jarvis-Chausse

That Council adjourns this Regular Meeting at 7:52 p.m.

CARRIED

Dennis Rogers, Mayor

Paula Parker, Clerk