



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, August 14, 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 6:03 p.m.

B. LAND ACKNOWLEDGEMENT

Mayor Rogers acknowledged 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 all the moccasins who have walked lands of Turtle Island.

C. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM

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

D. AMENDMENTS TO THE AGENDA

There were no additions to the agenda.

E. MAYOR'S WELCOME AND REMARKS

Mayor said a few words of welcome.

Open streets is in full swing in Kingsville and we have received a lot of great feedback on the event. Cottam residents really enjoyed the Open Streets in Cottam on July 22.

We welcomed Hogs for Hospice riders on Aug 5. With over 2000 bikes in our downtown core. Thanks to the team and businesses.

This past weekend we welcomed Kingsville Music Society's Greenway Jam to Mettawas Park and Grovedale Arts and Culture Centre. The set up and facilities were great.

F. DISCLOSURE OF PECUNIARY INTEREST

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 OF CLOSED SESSION

Pursuant to section 239(2) of the Municipal Act, 2001, Council entered into Closed Session at 7:05 pm on July 10, 2023 to address the following items:

Item I – Employee Policies heard under Subsection 239(2)(b) and (d). There is nothing further to report on this matter.

H. PRESENTATIONS

1. EWSWA - Regionalization of Waste Collection

Michelle Bishop, General Manager, EWSWA; Sandra Zwiers, CAO, County of Essex; and David Sundin, Solicitor, County of Essex were in attendance and provided an overview of the proposed regionalization of waste collection.

180-08142023

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

That Administration BE DIRECTED to bring back a report regarding community engagement for service level of waste collection.

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

CARRIED (7 to 0)

I. DELEGATIONS

1. Gord Queen - Facilities Review

Mr. Queen addressed Council with respect to decisions regarding the Facilities Review.

2. Bill Jamieson - Lighting By-law

3. Starr Livingstone - Lighting By-law

Mr. Jamieson and Mr. Livingstone addressed Council with respect to the proposed lighting by-law.

J. MATTERS SUBJECT TO NOTICE

1. ZBA-2023-12 – Town-wide Parks and Open Space Zoning By-law Update

181-08142023

Moved By Councillor Patterson
Seconded By Councillor Jarvis-Chausse

1. That the establishment of the 'Environmental Reserve District' (ERD) as described in this report and the amending by-law BE APPROVED;

2. That Zoning By-law Amendment ZBA-2023-12 to update the zoning of multiple environmental, park, and open space parcels in the Town of Kingsville BE APPROVED; and,
3. By-law 49-2023 being a by-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

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

CARRIED (7 to 0)

K. REPORTS - COMMUNITY AND DEVELOPMENT SERVICES

1. Application for Extension for Queens Valley Subdivision Approval - County of Essex File No.: 37-T-13002

182-08142023

Moved By Councillor Patterson

Seconded By Councillor Gaffan

1. That the request for an extension of subdivision approval for County file 37-T13002 for a period of two years BE SUPPORTED; and,
2. That Administration BE DIRECTED to forward a copy of this resolution to the County of Essex for their approval.

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

CARRIED (7 to 0)

2. Lions Park Inclusive Playground

183-08142023

Moved By Councillor Gaffan

Seconded By Deputy Mayor DeYong

1. That the Town Treasurer BE AUTHORIZED to transfer \$80,000 from the Park Reserves for the Lions Park Inclusive playground.

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

CARRIED (7 to 0)

L. REPORTS - FINANCIAL SERVICES AND INFORMATION TECHNOLOGY

There were no reports.

M. REPORTS - FIRE SERVICES

There were no reports.

N. REPORTS - INFRASTRUCTURE AND ENGINEERING SERVICES

1. Drainage Appointment for Highway 3 Widening Project

184-08142023

Moved By Councillor Patterson

Seconded By Councillor Neufeld

- 1. That Dillion Consulting Limited BE APPOINTED as the consulting engineer for drainage works required for the Highway 3 Widening Project as specified in Appendix A.**

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

CARRIED (7 to 0)

O. REPORTS - LEGAL, BUILDING AND BY-LAW SERVICES

1. Lighting By-law Report - August 14 2023

185-08142023

Moved By Councillor Neufeld

Seconded By Councillor Patterson

- 1. That By-law 52-2023, being a by-law to amend Property Standards By-law 31-1999, be read three times and finally passed and the Mayor and Clerk be authorized to sign same.**

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

CARRIED (7 to 0)

P. REPORTS - CAO's OFFICE

1. Code of Conduct – Council, Committees and Local Boards

186-08142023

Moved By Deputy Mayor DeYong

Seconded By Councillor Gaffan

- 1. That the Code of Conduct BE DEFERRED until the Integrity Commissioner can provide clarity and training.**

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld

Against (1): Councillor Patterson

CARRIED (6 to 1)

2. July 17 2023 Committee of the Whole

187-08142023

Moved By Councillor Lowrie

Seconded By Councillor Patterson

- 1. That the actions recommended by Committee of the Whole on July 17, 2023 be brought back to Council for consideration after strategic planning.**

For (2): Councillor Lowrie, Councillor Patterson

Against (5): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Neufeld

LOST (2 to 5)

188-08142023

Moved By Deputy Mayor DeYong

That the original motion from Carnegie BE APPROVED:

- 1. Provide the BIA with location for their storage unit, secure the BIA's downtown speaker system, and assume costs of internet and phone;**
- 2. Make space in the lower level available for community use, including the BIA Board Meetings and;**
- 3. That the Committee of the Whole recommendation from the July 17, 2023 COTW regarding the Carnegie is NOT APPROVED.**

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

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

LOST (2 to 5)

189-08142023

Moved By Councillor Gaffan

Seconded By Councillor Patterson

- 1. That the actions recommended by Committee of the Whole on July 17, 2023 BE APPROVED.**

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

CARRIED (7 to 0)

Q. CONSENT AGENDA

190-08142023

Moved By Deputy Mayor DeYong

Seconded By Councillor Neufeld

That Consent Agenda items 1 to 6 and 8 BE RECEIVED

- 1. Expense Update - 2023 Winter Ice Storm**
- 2. Regular Council Meeting Minutes - July 10 2023**

3. **Migration Festival Minutes - May 30 2023**
4. **Kingsville BIA Minutes - June 13 2023**
5. **Committee of Adjustment Minutes - June 20 2023**
6. **Heritage Advisory Committee Minutes - July 4 2023**
7. **Violence Against Women Coordinating Committee Windsor-Essex -
Declaring IPV an Epidemic**
8. **Sebastien Schmoranz - Letter of Support for Facilities Review**

CARRIED

191-08142023

Moved By Councillor Lowrie
Seconded By Councillor Patterson

That Consent Agenda item 7 BE RECEIVED.

CARRIED

R. NOTICES OF MOTION

There were none.

S. UNFINISHED BUSINESS AND ANNOUNCEMENTS

There were none.

T. BYLAWS

1. **By-law 51-2023**
2. **By-law 53-2023**

192-08142023

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

That By-laws 51-2023 and 53-2023 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

CARRIED

U. CLOSED SESSION

193-08142023

Moved By Councillor Lowrie
Seconded By Councillor Jarvis-Chausse

Pursuant to section 239(2) of the Municipal Act, 2001, Council will enter into Closed Session at 8:33 pm to address the following items:

Item I - Personnel Matters - Section 239(2)(b) - personal matters about identifiable individuals, including municipal or local board employees.

Item II - New Designs, 23/25 Division Street - Section 239(2)(c) - acquisition or disposition of land; and (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Item III - EWSWA - Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, Section 239(2)(k) - a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board

CARRIED

V. ADJOURNMENT

194-08142023

Moved By Deputy Mayor DeYong

Seconded By Councillor Gaffan

That Council adjourn at 10:47 p.m.

CARRIED

MAYOR, Dennis Rogers

CLERK, Paula Parker