



REGULAR MEETING OF COUNCIL

MINUTES

Monday, January 29, 2024

6:00 PM

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

MEMBERS OF COUNCIL 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
Angela Toole, Acting Clerk

A. CALL TO ORDER

Mayor Rogers called the Regular Meeting to order at 6:09 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. MAYOR'S WELCOME AND REMARKS

Mayor Rogers welcomed everyone to Council's second meeting at the Unico Community Centre and thanked the IT Department for their hard work in setting up the space.

Mayor Rogers said that he and several members of Council and the CAO attended the 2024 Rural Ontario Municipal Association (ROMA) Conference, held in Toronto from January 21-23. He said that the team from Kingsville worked hard to network and put Kingsville on the map throughout the Conference. Mayor Rogers said that the conference had several sessions on drinking water and wastewater infrastructure, and highlighted potential funding opportunities from

the Province. He expressed Kingsville's hope to receive funds for the future construction of a waterline that will support growth and development on the west side of Kingsville.

Mayor Rogers further noted that at the Conference, the team delegated to the Ministry of Tourism, Culture and Sport for funding to assist with the development of Mettawas Park and the expansion of the Town's recreation facilities. The team also delegated to the Ministry of Seniors and Accessibility respecting the Town's application for a Seniors Active Living Centres (SALC) grant which would be used to fund programming for seniors in the community. He said that MPP Daisy Wai, Parliamentary Assistant to the Minister for Seniors and Accessibility remembered the Town from her tour of Kingsville and its facilities. The Town hopes to hear soon whether it was successful in receiving the SALC grant.

Mayor Rogers commended the OPP for keeping the community safe in light of an incident on January 25, 2024, which saw a person successfully arrested without injury to others. He assured the public that while the incident was scary, Kingsville is a safe community.

Lastly, Mayor Rogers noted that the Windsor-Essex Regional Chamber of Commerce announced its finalists for the 2024 Business Excellence Awards. Mayor Rogers congratulated Councillor Lowrie on being a "Business Ambassador of the Year" finalist and thanked her for her dedication to the business community. He also said that other notable Kingsville individuals, Aaron Nixon of Main Street Pharmacy and Wellness Centre and Alexandria Anber of Auntie Aldoo's Kitchen Inc., are finalists for other awards.

E. AMENDMENTS TO THE AGENDA

Councillor Patterson noted he would have an announcement.

Deputy Mayor DeYong noted that she would read a Notice of Motion.

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.

Councillor Gaffan declared a conflict on Item L.2, Line Item 4 of Schedule A - BIA Facelift Grant, as he is a business owner in the BIA.

Deputy Mayor DeYong declared a conflict on Item L.2, Line Item 20 of Schedule A - Ursa Major Learning Services and Centre Grant, as her employer stands to benefit from the grant.

Councillor Neufeld declared a conflict of Item L.2, Line Item 22 of Schedule A - Cottam Rotary Club Grant, as he is a vendor at the Cottam Horse Show, which is funded by the Cottam Rotary Club.

Mayor Rogers declared a conflict on Item L.2, Line Item 4 of Schedule A - BIA Facelift Grant, as he is a business owner in the BIA.

G. REPORT OUT OF CLOSED SESSION

Pursuant to Section 239(2) of the Municipal Act, 2001, Council entered into Closed Session at 6:22 p.m. on January 8, 2024 to address the following items:

Item I - Employee Review - Section 239(2)(b) personal matters about identifiable individuals, including municipal or local board employees. There is nothing further to report.

Item II - Council Education and Training to be heard under Section 239(3.1). There is nothing further to report.

Pursuant to Section 239(2) of the Municipal Act, 2001, Council entered into Closed Session on January 15, 2024 to address the following items:

Item I - Integrity Commissioner Contract Renewal to be heard under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees. There is nothing further to report.

Item III - Settlement Boundary Expansion to be heard under 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. There is nothing further to report.

Item III - Personnel Issue to be heard under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees. There is nothing further to report.

H. DELEGATIONS

None.

I. PRESENTATIONS

None.

J. MATTERS SUBJECT TO NOTICE

- 1. Application for Zoning By-law Amendment (ZBA-2023-17) by Anne Dick, James Malott & Scott Malott 200 Heritage Road & 230 Heritage Rd Gosfield South Concession 1 WD Pt Lots**

012-01292024

Moved By Councillor Patterson

Seconded By Councillor Lowrie

- 1. That By-law 06-2024, being a By-law to amend the Comprehensive Zoning By-law for the Town of Kingsville BE APPROVED to amend the zoning on the subject parcels from Lakeshore Residential - Holding, LR(h) to Lakeshore Residential (LR), as a result of a lot creation and lot addition that was obtained on the subject parcels through consent applications B-2023-16 & B-2023-17.**

CARRIED

K. REPORTS - PLANNING AND DEVELOPMENT SERVICES

No Reports at this time.

L. REPORTS - FINANCIAL AND CORPORATE SERVICES

1. 2024 Interim Tax Levy By-Law

013-01292024

Moved By Councillor Gaffan

Seconded By Councillor Lowrie

- 1. That By-law 5-2024 being a by-law for the establishment of the 2024 interim tax levy be taken as having been read three times and finally passed, and that 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)

2. 2024 Kingsville Community Grants

014-01292024

Moved By Councillor Lowrie

Seconded By Councillor Jarvis-Chausse

That Line Items 4, 20, and 22 be pulled from the 2024 Community Grant Schedule and voted on individually.

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

CARRIED (7 to 0)

015-01292024

Moved By Councillor Gaffan

Seconded By Deputy Mayor DeYong

- 1. That Council APPROVE the 2024 Kingsville Community Grants Awards detailed in Schedule A except for Line Items 4, 20, and 22.**

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

CARRIED (7 to 0)

Mayor Rogers stepped down as Chair. Deputy Mayor DeYong assumed the Chair.

016-01292024

Moved By Councillor Lowrie

Seconded By Councillor Jarvis-Chausse

That Line Item 4 - BIA Facelift Grant, BE APPROVED, in the amount of \$5000.00

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

Conflict (2): Mayor Rogers and Councillor Gaffan

CARRIED (5 to 0)

Mayor Rogers resumed the Chair.

017-01292024

Moved By Councillor Lowrie

Seconded By Councillor Patterson

That Line Item 20 - Ursa Major Learning Services and Centre Grant, BE APPROVED, in the amount of \$4000.00.

For (6): Mayor Rogers, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld and Councillor Patterson

Conflict (1): Deputy Mayor DeYong

CARRIED (6 to 0)

018-01292024

Moved By Councillor Patterson

Seconded By Councillor Gaffan

That Line Item 22 - Rotary Club of Cottam Grant, BE APPROVED, in the amount of \$5000.00.

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

Conflict (1): Councillor Neufeld

CARRIED (6 to 0)

019-01292024

Moved By Councillor Patterson

Seconded By Councillor Neufeld

That Administration BE DIRECTED to amend the Kingsville Community Grant Fund Policy (FS-001) to include the requirement for all organizations to submit (1) current Financial Statements and (2) current Bank balances within their Application to the Grant Fund Program.

That Administration BE DIRECTED to amend the Kingsville Community Grant Fund Policy (FS-001) to include the requirement for organizations to provide Administration with a request in writing to use the funds for an alternative purpose. Significant changes will require Council approval.

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

CARRIED (7 to 0)

M. REPORTS - FIRE RESCUE SERVICES

No Reports at this time.

N. REPORTS - PUBLIC OPERATIONS

No Reports at this time.

O. REPORTS - BUILDING AND BY-LAW SERVICES

No Reports at this time.

P. REPORTS - CAO's OFFICE

1. Integrity Commissioner Contract Renewal

Mayor Rogers welcomed the Town's new employee Ashley Nogueira, Paralegal.

020-01292024

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

That Council APPOINT Mary Ellen Bench (Bench Municipal Law + Governance) as the Town's Integrity Commissioner and Closed Meeting Investigator effective April 12, 2024, for a five (5) year term, ending April 12, 2029;

And that Council AUTHORIZE the Mayor and the Clerk to execute the written agreement between the parties on behalf of the Town.

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

021-01292024

Moved By Councillor Jarvis-Chausse
Seconded By Councillor Gaffan

That Items 1 through 5 on the Consent Agenda, BE RECEIVED.

- 1. Regular Council Meeting Minutes - January 8, 2024**
- 2. Committee of Adjustment Minutes - December 19, 2023**
- 3. Heritage Advisory Committee Minutes - December 5, 2023**
- 4. BIA Minutes - November 28, 2023**
- 5. Fantasy of Lights Minutes - November 21, 2023**

CARRIED

R. CORRESPONDENCE

None.

S. NOTICES OF MOTION

Deputy Mayor DeYong read aloud the following Notice of Motion regarding live-streaming the Town's Committee of the Whole meetings. Council will consider this Motion at the February 5, 2024 Regular Meeting of Council:

Whereas the *Municipal Act, 2001*, states that municipalities must be accountable to the public and that the process for making decisions must be transparent in order to provide good government;

And Whereas live-streaming public Council and Committee meetings is a way to foster accountability and transparency;

And Whereas on August 26, 2019, Council adopted resolution 444-2019, authorizing the Corporate Services Department to contract with eScribe to provide live-streaming services for its Council meetings;

And Whereas in January 2020, the Town of Kingsville began live-streaming and recording its Council meetings;

Therefore, Council directs Administration to make the necessary arrangements to live-stream its Committee of the Whole Meetings on a go-forward basis.

T. UNFINISHED BUSINESS AND ANNOUNCEMENTS

Councillor Patterson commended and thanked the Town's Crossing Guards for their dedication and asked the public to be mindful of their safety and slow down when Crossing Guards are present.

U. BY-LAWS

022-01292024

Moved By Deputy Mayor DeYong

Seconded By Councillor Gaffan

That the following By-law be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign the same:

- 1. By-law 11-2024 being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its January 29, 2024 Regular Meeting of Council.

CARRIED

V. CLOSED SESSION

023-01292024

Moved By Councillor Jarvis-Chausse

Seconded By Councillor Lowrie

That Council enter into Closed Session at 6:45 p.m., pursuant to Section 239 of the *Municipal Act, 2001*, to discuss the following items:

Item I - Committee Appointments to be heard under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees;

Item II - Sale of Surplus Lands to be heard under Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and,

Item III - West Side Collector Road - Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 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

W. ADJOURNMENT

024-01292024

Moved By Councillor Gaffan

Seconded By Councillor Patterson

That Council adjourns this Regular Meeting at 8:26 p.m.

CARRIED

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole