



## REGULAR MEETING OF COUNCIL

### MINUTES

**Monday, August 12, 2024**

**6:00 PM**

**Unico Community Centre**

**37 Beech Street**

**Kingsville, ON N9Y 1A9**

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

Staff Present              CAO, John Norton  
                                 Acting Clerk, Angela Toole  
                                 Deputy Clerk, Natalie Sharp

#### **A. Call to Order**

Mayor Rogers called the Regular Meeting to order at 6:06 p.m.

#### **B. Closed Session**

**146-08122024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Patterson

That Council enter into Closed Session at 5:00 p.m. pursuant to Section 239(2) of the Municipal Act, 2001, to discuss the following items:

**Item I - Board and Committee Appointments** (Kingsville Municipal Heritage Advisory Committee) to be heard under Section 239(2)(b) being personal matters about an identifiable individual including municipal employees; and,

**Item II - Union Water Supply System (UWSS Inc.) Annual General Meeting** to be heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees; and, Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations.

**CARRIED**

#### **C. 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.

**D. Moment of Silent Reflection and National Anthem**

Mayor Rogers invited everyone to stand for a moment of silent reflection and the National Anthem.

**E. Mayor's Welcome and Remarks**

Mayor Rogers welcomed those in attendance, including those viewing online.

He stated that the Terry Fox Run is taking place on September 15, 2024, at Lakeside Park and encouraged residents to visit [run.terryfox.ca/kingsville](https://run.terryfox.ca/kingsville) for more information and registration.

The next Kingsville Block Party is August 17, 2024, from 5:00 - 10:00 pm. The theme is Country Night.

Mayor Rogers extended his gratitude to the Kingsville Music Society, volunteers, and all who contributed to the success of the Kingsville Music Festival.

He encouraged residents to review the Kingsville 2040 Strategic Plan to learn about the priorities and strategies outlined for the Town.

**F. Amendments to the Agenda**

Councillor Patterson added one (1) announcement. Deputy Mayor DeYong added one (1) announcement.

**G. 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.

None disclosed.

**H. Report Out of Closed Session**

Pursuant to Section 239 of the Municipal Act, 2001, Council entered into Closed Session at 8:17 p.m. on July 8, 2024, to discuss the following items:

**Item I - Property Acquisition - Surplus School Properties** heard under Section 239(2)(c) being a proposed or pending acquisition or disposition of land by the municipality; and, Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

Pursuant to Section 239 of the Municipal Act, 2001, Council entered into Closed Session at 6:00 p.m. on July 15, 2024, to discuss the following item:

**Item I - Property Acquisition - Surplus School Properties** heard under Section 239(2)(c) being a proposed or pending acquisition or disposition of land by the municipality; and, Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

**I. Delegations**

Laura Vincent appeared before Council in support of Item T.1. regarding the employment of Crossing Guard and PXO change. She expressed concerns about the current pedestrian crossing and requested one similar to the High School full stop. Additionally, she requested a crossing guard at the intersection of Woodycrest Avenue and Jasperson Drive. She also noted her support of a Community Safety Zone and crossing guards at this intersection to ensure the safety of children.

**J. Presentations**

No Presentations.

**K. Matters Subject to Notice**

**1. 4th Concession Road Drain – MTO Widening Project**

**147-08122024**

**Moved By** Councillor Patterson

**Seconded By** Councillor Neufeld

That the Engineer's Report prepared by Dillon Consulting Limited pursuant to Section 78 of the Drainage Act and dated July 23, 2024, for improvements to the Upper Portion of the 4<sup>th</sup> Concession Road Drain for the MTO Widening Project for Improvements, **BE ADOPTED**.

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

**CARRIED (7 to 0)**

**2. No. 5 Drain – MTO Widening Project**

Mark Damphouse, 332 Road 6 West, expressed concerns regarding constant water on his property.

Bill Jameson, 54 County Road 29, expressed opposition to the adoption of the Engineer's Report.

Reg Barron, 105 County Road 29, expressed concerns regarding erosion.

Tim Oliver, Dillon Consulting Limited, was available for questions.

**148-08122024**

**Moved By** Councillor Neufeld

**Seconded By** Councillor Patterson

That the Engineer's Report prepared by Dillon Consulting Limited pursuant to Section 78 of the Drainage Act and dated July 23, 2024, for improvements to the Upper Portion of the No. 5 Drain for the MTO Widening Project, **BE ADOPTED**.

**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 - Planning and Development Services**

**1. Woodridge Estates Subdivision Phase 2 – Final Acceptance**

**149-08122024**

**Moved By** Councillor Gaffan

**Seconded By** Deputy Mayor DeYong

That Council **APPROVE** the final acceptance and assumption of the roadway and infrastructure for the Woodridge Estates Subdivision Phase 2.

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

**CARRIED (7 to 0)**

**2. Jasperson Drive Community / School Zone**

**150-08122024**

**Moved By** Councillor Gaffan

**Seconded By** Deputy Mayor DeYong

1. That Kingsville Traffic By-Law 21-2005 **BE AMENDED** to include a Community Safety Zone on Jasperson Drive from a point 210 metres north of the centreline of Woodycrest Ave to a point 295 metres south of the centreline of Woodycrest Ave.
2. That Kingsville Traffic By-Law 21-2005 **BE AMENDED** to include a School Zone on Jasperson Drive from a point 210 metres north of the centreline of Woodycrest Ave to a point 295 metres south of the centreline of Woodycrest Ave with a prescribed rate of speed of 40 kilometres per hour.
3. That Kingsville Traffic By-Law 21-2005 **BE AMENDED** to include a Community Safety Zone on Woodycrest Ave from Jasperson Drive to a point 60 metres west of Jasperson Drive.
4. That Kingsville Traffic By-Law 21-2005 **BE AMENDED** to include a School Zone on Woodycrest Ave from Jasperson Drive to a point 60 metres west of Jasperson Drive with a prescribed rate of speed of 40 kilometres per hour.

**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 - Finance and Corporate Services**

**1. 2024 Water Rate Study and Ontario Regulation 453/07: Water Financial Plan**

**151-08122024**

**Moved By** Councillor Lowrie

**Seconded By** Councillor Patterson

That the Town of Kingsville Water Rate Study and Ontario Regulation 453/07: Water Financial Plan, prepared by Watson & Associates Economists Ltd., dated July 2, 2024, **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)**

**2. Industrial Community Improvement Plan (CIP)**

**152-08122024**

**Moved By** Councillor Patterson

**Seconded By** Councillor Neufeld

That Administration **BE DIRECTED** to prepare a Community Improvement Plan (CIP) providing a 'Property Tax Incentive Grant' for industrial developments.

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

**CARRIED (7 to 0)**

**N. Reports - Fire Rescue Services**

No Reports.

**O. Reports - Public Operations**

No Reports.

**P. Reports - Building and By-law Services**

No Reports.

**Q. Reports - CAO's Office**

**1. Appointment to the Joint OPP Detachment Board (South)**

**153-08122024**

**Moved By** Councillor Gaffan

**Seconded By** Councillor Jarvis-Chausse

That Council **APPOINT** Peter Pryce to be the Joint Community Representative (representing the Town of Kingsville, Municipality of Leamington, and Township of Pelee) for the new Joint OPP Detachment Board – South, effective immediately for a term set to expire on December 31, 2024.

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

**CARRIED (7 to 0)**

**2. Update on Kingsville Leamington Municipal Animal Control Advisory Committee**

**154-08122024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Lowrie

That Council **DIRECTS** Administration to work with Leamington Administration to prepare a new Joint Pound Facility and Animal Control Agreement based on the current financial model to be administered by Kingsville and Leamington Administration;

And that the Kingsville Leamington Municipal Animal Control Advisory Committee **BE DISSOLVED** upon the passage of said Agreement;

And that Council **DIRECTS** Kingsville Administration to report directly to Council on Animal Control matters rather than to the Kingsville Leamington Municipal Animal Control Advisory Committee, which is the current model.

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

**CARRIED (7 to 0)**

**R. Consent Agenda**

**155-08122024**

**Moved By** Councillor Neufeld

**Seconded By** Councillor Gaffan

1. Regular Meeting Minutes - July 8, 2024
2. BIA Minutes - June 11, 2024
3. Heritage Advisory Committee Minutes - June 4, 2024
4. Fantasy of Lights Minutes - May 21, 2024
5. Committee of Adjustment & Appeals Minutes - April 16, 2024
6. Committee of Adjustment & Appeals Minutes - March 19, 2024
7. Committee of the Whole Minutes - January 15, 2024

That Items 1 through 7 on the Consent Agenda, **BE RECEIVED.**

**CARRIED**

**S. Correspondence**

**1. 2024 ERCA Source Protection Committee Municipal Appointments**

**156-08122024**

**Moved By** Councillor Jarvis-Chausse

**Seconded By** Deputy Mayor DeYong

That Council **ENDORSE** the appointment of the following individuals to the Essex Region Conservation Authority's Source Protection Committee for a term of five (5) years with an expected appointment date of October 10, 2024:

- Kirk Walstedt, Union Water Supply System;
- Jason Barlow, Municipality of Lakeshore; and,
- Antonietta Giofu, Town of Amherstburg.

**CARRIED**

**2. 2024 Union Water Supply System Inc. Annual Shareholders Meeting**

**157-08122024**

**Moved By** Councillor Lowrie

**Seconded By** Councillor Jarvis-Chausse

That the Directors of Finance and Public Operations **BE APPOINTED** to attend and vote on behalf of Kingsville at the UWSS Annual General Meeting; and

That the appointed representatives for Kingsville bring forward the following issues for discussion at the AGM:

- To negotiate a management or service agreement for the maintenance and replacement of Union Water Distribution Assets in Kingsville;
- To develop a model that appropriately distinguishes water loss from assets owned by Union Water versus the Town;
- To increase communication between Administration of Union Water and Administration of Kingsville, with at least quarterly meetings.

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

**CARRIED (7 to 0)**

## **T. Notices of Motion**

### **1. Employment of Crossing Guard and PXO Change - Councillor Lowrie**

**158-08122024**

**Moved By** Councillor Lowrie

**Seconded By** Councillor Jarvis-Chausse

That Council **DIRECTS** Administration to employ crossing guards for the new K - 12 school at Jasperson and Woodycrest, and that Council further **DIRECTS** Administration to change the PXO crosswalk on Jasperson in front of the new school to a fully signalized push-button traffic light;

And that Council **DIRECTS** Administration to temporarily employ a crossing guard on Jasperson in front of the new school until such time that the fully signalized push-button traffic light has been installed.

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

**CARRIED (7 to 0)**

## **U. Unfinished Business and Announcements**

Councillor Patterson expressed concerns about the lack of active transportation on County Road 27 between County Road 34 and North Talbot Road. He requested that the Mayor and Deputy Mayor (County Council Representatives) inquire about the plans for this roadway from the County of Essex.

Deputy Mayor DeYoung stated that a Terry Fox Run Auction is being held at the Kingsville Community Centre located at 1860 Division Road on Tuesday and Thursday mornings from 9:00 a.m. until 12:00 p.m. for the next two weeks. The auction will feature gift cards from local businesses.

## **V. By-laws**

**159-08122024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Jarvis-Chausse

That the following By-laws receive a third and final reading and finally pass:

**By-law 45-2024** being a By-law to provide for the improvements to the 8th Concession Drain and new maintenance schedule for the Ministry of

Transportation Highway 3 Widening Project at a total estimated cost of \$1,828,000 in the Town of Kingsville, in the County of Essex;

**By-law 46-2024** being a By-law to provide for the realignment of the 9th Concession Drain and Kings Highway No. 3 Culvert Extension for the Ministry of Transportation Highway 3 Widening Project at a total estimated cost of \$640,000 in the Town of Kingsville, in the County of Essex;

**By-law 47-2024** being a By-law to provide for the realignment and extension of the Cottam Sideroad Branch of the 7th Concession Drain for the Ministry of Transportation Highway 3 Widening Project at a total estimated cost of \$1,669,000 in the Town of Kingsville, in the County of Essex; and,

**By-law 55-2024** being a By-law to provide for the improvements for the Moroun Pumping Scheme at a total estimated cost of \$686,257.00 in the Town of Kingsville, in the County of Essex.

**CARRIED**

**160-08122024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Patterson

That the following By-laws receive three readings and finally pass:

**By-law 57-2024** being a By-law to amend By-law 34-2023, being a By-law to appoint certain members of Council and individuals to boards and committees (Delilah Carreira - Kingsville BIA);

**By-law 58-2024** being a By-law to Appoint a Fire Chief for The Corporation of the Town of Kingsville;

**By-law 61-2024** being a By-law to provide for a new Diversion Channel for the Sturgeon Creek Drain initiated by the Municipality of Leamington whereby the ratepayers are affected in the Town of Kingsville, County of Essex; and,

**By-law 62-2024** being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its August 12, 2024 Regular Meeting of Council.

**CARRIED**

**W. Adjournment**

**161-08122024**

**Moved By** Councillor Patterson

**Seconded By** Councillor Lowrie

That Council adjourns this Regular Meeting at 8:17 p.m.

**CARRIED**

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MAYOR, Dennis Rogers

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ACTING CLERK, Angela Toole