



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, March 27, 2017
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9**

Members of Council Mayor Nelson Santos
 Councillor Tony Gaffan
 Councillor Thomas Neufeld
 Councillor Susanne Coghill
 Councillor Larry Patterson
 Deputy Mayor Gord Queen

Absent Councillor Sandy McIntyre

Members of P. Van Mierlo-West, CAO
Administration J. Astrologo, Director of Corporate Services
 S. Kitchen, Deputy Clerk-Council Services
 K. Girard, Manager of Municipal Services

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:00 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos called for a moment of silence and reflection and the playing of the National Anthem.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY 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.

E. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one Notice of Motion.

Councillor Patterson added one Announcement.

F. STAFF REPORTS

**1. SPA/15/16 – 2524634 ONTARIO LTD. 86 Wigle Ave CON 1 Lot 2 Pt 7
12R25287 RP342 Part of Block A Roll No. 3711 210 000 00105**

Mayor Santos stated that Town Planner K. Brcic has advised that the Applicant has requested that this matter be deferred.

268-2017

Moved by Councillor Tony Gaffan

Seconded by Deputy Mayor Gord Queen

Council, as requested by the Applicant through Town Administration, defer the consideration of the Report of K. Brcic, Town Planner dated March 9, 2017 RE: SPA/15/16 - 2524634 Ontario Ltd.

CARRIED

2. Contract #MS17-101-01: Rural Roads Program

269-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council authorize the award of the 2017 Rural Roads Program contract to Jeff Shepley Excavating Ltd. in the amount of \$734,352.44.

CARRIED

3. Strategic Plan – Final

Ms. Van Mierlo-West presented the Strategic Plan, indicating that she also intends to provide Council with quarterly Strategic Plan updates, once formally approved.

270-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council lay the draft Town of Kingsville Strategic Plan on the Table.

CARRIED

The document will be further reviewed to ensure that all revisions and suggestions from the Administration Management Group have been incorporated into the Plan to the satisfaction of Council.

4. Civic Mobile Tool

271-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghill

Council approve the proposal and direct that the Town enter into an agreement with Inspire Hub for the supply of an app, subject to a security review by the IT Manager and legal review by Director of Corporate Services

CARRIED

5. Human Resource Manager – Job Description Update

272-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council approve the revised Job Description for the Human Resource Manager and direct that the advertisement for this position begin immediately.

CARRIED

G. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. The Jack Miner Migratory Bird Foundation--Correspondence from M. Baruth, Executive Director, dated March 9, 2017 requesting that Council consider creating two proclamations

273-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Larry Patterson

WHEREAS: Jack Miner was born on April 10, 1865 in Dover Centre, Ohio (now Westlake); and

WHEREAS: At the age of 13 he moved with his family to Kingsville, Ontario, Canada where he became a professional trapper and market hunter to help supplement the family income and later established a brick and tile manufacturing business; and

WHEREAS: In 1904 he founded the Jack Miner Bird Migratory Bird Sanctuary for the conservation of migratory waterfowl; and

WHEREAS: In 1909 he began the practice of tagging wild ducks as they passed through his Sanctuary to better understand their migratory routes; and

WHEREAS: In 1915 he began the practice of tagging Canada geese and other geese as they passed through his Sanctuary to better understand their migratory routes; and

WHEREAS: The information collected led to the establishment of the Migratory Bird Act between the United States of America and Canada in 1916 and the Migratory Bird Convention Act in 1917, 100 years ago; and

WHEREAS: Seventy years ago the Canadian Government established National Wildlife Week to take place across Canada each year during the week of Jack Miner's birthday, April 10th, as a lasting tribute to his contribution to Canadian wildlife conservation.

NOW THEREFORE BE IT RESOLVED THAT Council of The Corporation of the Town of Kingsville proclaims April 10, 2017 as the first annual "Jack Miner Day" in the Town of Kingsville.

CARRIED

274-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

WHEREAS: A deserved and enduring tribute was paid to the world's greatest naturalist and founder of the Jack Miner Migratory Bird Sanctuary in Kingsville, Ontario which bears his name, when the Canadian Parliament passed an Act fixing the week of his birthday, April 10th, as National Wildlife Week; and

WHEREAS: Countless thousands of people have been privileged to visit the Sanctuary and continue to enjoy this unique spot year after year; and

WHEREAS: At the time of his death in 1944, Jack Miner was referred to as one of the 5 best known men in North America alongside Henry Ford, Thomas Jefferson, Charles Lindbergh, and Eddie Rickenbacker; and

WHEREAS: The Jack Miner Migratory Bird Foundation was founded in 1931 in the United States and 1936 in Canada to continue the Legacy of Jack Miner and continues to bring environmental and wildlife conservation issues to a new generation;

WHEREAS: Across Canada celebrations of the 70th Anniversary of National Wildlife Week are taking place.

NOW THEREFORE BE IT RESOLVED that The Council of The Corporation of the Town of Kingsville declares the week of April 9, 2017 as National Wildlife Week in the Town of Kingsville.

CARRIED

H. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council - March 13, 2017

275-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Thomas Neufeld

Council adopt Regular Meeting of Council Minutes dated March 13, 2017.

CARRIED

I. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Municipal Heritage Advisory Committee--February 8, 2017

276-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated, February 8, 2017.

CARRIED

2. Court of Revision-February 27, 2017

277-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Larry Patterson

Council receive Court of Revision Minutes dated, February 27, 2017.

CARRIED

J. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Town of Tecumseh-Correspondence to Minister of Health and Long-Term Care, dated March 6, 2017 RE: Marijuana controls under Bill 178**
- 2. Kingsville Historical Park Inc.-Correspondence from K. Gunning, Secretary/Treasurer sent on behalf of all the volunteers of the Kingsville Historical Park Museum, dated March 17, 2017**
- 3. Northeastern Manitoulin & The Islands-Correspondence to Premier Wynne RE: First Nation Hydro delivery charges, dated March 17, 2017**
- 4. Municipality of Middlesex Centre--Correspondence RE: Support for policy to install AEDs in all Schools, dated March 15, 2017**
- 5. Town of Ingersoll--Correspondence RE: Support for policy for AEDs in all schools, dated March 20, 2017**
- 6. Township of East Zorra-Tavistock--Correspondence supporting policy to install AEDs in all schools, dated March 20, 2017**
- 7. Leamington and Area Family Health Team-Correspondence dated March 17, 2017**

278-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

Council receive information items 1-7.

CARRIED

K. NOTICES OF MOTION

1. **Councillor L. Patterson may move, or cause to have moved, that Administration provide a report setting out the rights of medical marijuana growers and the rights of the neighbouring property owners.**

279-2017

Moved by Councillor Larry Patterson

Seconded by Deputy Mayor Gord Queen

That Administration provide a report setting out the rights of medical marijuana growers and the rights of the neighbouring property owners to include responses to the following items: what kind of waste material is produced from growing the plants and how is it disposed of; what is the municipality's role for allowing medical marihuana to be grown in a residential area; does the municipality have guidelines on the exhaust of the fumes; does Health Canada have guidelines for mandatory filter installations to deal with the odour and does Health Canada have distance requirements between the place of growth and neighbouring properties; and FURTHER, that the Kingsville Police Services Board be circulated with this motion.

CARRIED

Deputy Mayor Queen indicated that he may at the next Regular Meeting move, or cause to have moved that a proclamation be considered in recognition of the benefits and values the Communities in Bloom Program provides to the Town of Kingsville.

L. UNFINISHED BUSINESS, ANNOUNCEMENT, AND UPDATES

Councillor Patterson reminded Council of the upcoming Annual Kingsville Fire Department Recognition Dinner event.

M. BYLAWS

1. **By-law 2-2017**

280-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 2-2017, being a By-law to provide for the construction of a bridge over the Graham Sideroad Drain; Owner: Roger and Gloria Congdon (510-0080); N. J. Peralta Engineering Ltd. Project No. D-15-015, in the Town of Kingsville, in the County of Essex, a third and final time.

CARRIED

2. By-law 37-2017

281-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council read By-law 37-2017, being a By-law authorizing the entering into of Amendment No. 1 to a Grant Funding Agreement under the 2013-14 Source Protection Municipal Implementation Fund (SPMIF_1516_004) with Her Majesty the Queen in Right of Ontario, as represented by the Minister of the Environment and Climate Change for the Province of Ontario, a first, second and third and final time.

CARRIED

N. CLOSED SESSION

282-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Thomas Neufeld

Council, pursuant to Section 239(2) of the Municipal Act moved into Closed Session at 8:05 p.m. to address the following matters:

1. Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, being Report of J. Astrologo, Director of Corporate Services RE: Integrity Commissioner;
2. Section 239(2)(d) labour relations or employee negotiations, being Report RE: Non-Union Salary Wage Report;
3. Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, being Report RE: Director of Municipal Services Position
4. Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, being Report RE: Terms of 360 assessment for CAO.

CARRIED

1. **Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees being Report of J. Astrologo, Director of Corporate Services RE: Integrity Commissioner**

2. **Section 239(2)(d) labour relations or employee negotiations, being Report RE: Non-Union Salary Wage Report**
3. **Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, being Report RE: Director of Municipal Services Position**
4. **Section 239(2)(b) personal personal matters about an identifiable individual, including municipal or local board employees, being Report RE: Terms of 360 assessment for CAO**

O. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 8:11 p.m., Mayor Santos reported on various matters as follows:

RE: Item N-1 - Report of J. Astrologo, Director of Corporate Services RE: Integrity Commissioner

283-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Thomas Neufeld

Council accept the resignation of Mr. Robert Swayze as Integrity Commissioner for The Corporation of the Town of Kingsville.

CARRIED

RE: Item N-3-Report RE: Director of Municipal Services Position

284-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council approve the changes to the Director of Municipal Services Position, as presented.

CARRIED

Mayor Santos reported that Council gave direction to Administration pertaining to other personnel matters.

P. CONFIRMATORY BY-LAW

1. **By-law 38-2017**

285-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Larry Patterson

Council read By-law 38-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville, at its March 27, 2017 Regular Meeting, a first, second and third and final time.

CARRIED

Q. ADJOURNMENT

286-2017

Moved by Councillor Susanne Coghil
Seconded by Councillor Larry Patterson

Council adjourn this Regular Meeting at 8:42 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo