



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, April 10, 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 Administration	P. Van Mierlo-West, CAO A. Plancke, Director of Municipal Services T. Del Greco, Manager of Municipal Facilities and Property K. Vegh, Drainage Supervisor M. Durocher, Parks & Recreation Program Manager R. Brown, Manager of Planning & Development Services P. Valore, Chief Building Official K. Galinac, Planner J. Astrologo, Director of Corporate Services S. Zwiers, Director of Financial Services J. Dean, Acting Fire Chief J. Alexander, Deputy Clerk - Administrative Services S. Martinho, Public Works Manager

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:01 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those to stand and observe a moment of silence and reflection to be followed by the playing of O' Canada.

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. PRESENTATIONS/DELEGATIONS

1. Theresa Marentette, Director, Health Protection Division; Phil Wong, Manager, Health Inspection Dept. and Mike Tudor, Manager, Health Inspection Dept. --Windsor-Essex County Health Unit

The Windsor Essex Health Unit gave a presentation to Council on its beach sampling practices at the three beaches in Kingsville and provided an explanation of the results of those samples. The Health Unit offered to change the method the day sampling is conducted to allow it to re-test the water when the e-coli counts necessitate a beach closure.

287-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council receive the presentation from the Windsor Essex County Health Unit regarding Beach Water Sampling.

CARRIED

2. Kimberly DeYong, Resident--Delegation Request dated April 4, 2017 RE: Voting method for 2018 Election

Kimberly DeYong presented her comments against the use of electronic voting for the 2018 municipal election.

288-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Thomas Neufeld

That Council receive the presentation from Ms. Kimberly DeYong regarding electronic voting.

CARRIED

F. MATTERS SUBJECT TO NOTICE

1. Drainage Report Consideration--Henderson Drain and Branches-Bridge Maintenance Sharing

Engineer Rood presented his report to Council.

Comments from the audience:

1642 Road 2 West, requested clarification regarding payment of repairs outlined in the report. He also indicated that the report took over 2 years to complete and whether that timeframe is excessive. K. Vegh indicated that no further work needs to be done and there now is a mechanism in place to estimate the cost for bridge repairs. Mr. Vegh also indicated that drainage reports must be accurate and the 2 year duration is not excessive to ensure the accuracy.

1364 Road 2 West - inquired whether the whole project is complete. Mr. Vegh, indicated that the entire project is not completed. Mr. Vegh anticipates that the Town will be billing out the works that are complete and will continue with the works south of Road 2. A separate bill will be issued once those works are completed.

1288 Road 2 West - asked whether Bridge 16 was going to be removed and not replaced, as it is redundant and not used. The resident indicated that Bridge 11 can also be reduced in size. Mr. Vegh asked the resident to contact him to discuss the noted changes.

289-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council adopt Engineer's Report dated March 9, 2017 for the Henderson Drain and Branches Bridge Maintenance Sharing (Rood Engineering Inc., Consulting Engineers, Project 2015D019, read By-law 36-2017 a first and second time only at this Regular Meeting; and schedule Court of Revision for a future date.

CARRIED

2. PUBLIC MEETINGS

1. ZBA/06/17 - Application for Zoning Amendment Sara & Tina Neufeld 1689 Road 2 East 12R10878, Parts 6 & 12 Roll No. 3711 290 000 38701

Comments through Correspondence:

Ms. Brcic advised that she received a letter from the resident at 1680 Road 2 E, indicating that the property has a vehicle speeding in and out early in the morning and late at the end of the day. Ms. Brcic advised that the issue is not subject to the approval of the zoning amendment application.

No comments from the audience.

290-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

It is recommended that Council approve Zoning By-law Amendment ZBA/06/17 to rezone the subject lands from 'Rural Commercial Zone 6 Exception 11 (C6-11)' to 'Residential Zone 2 Rural/Urban Exception 9 (R2.2-9)' on lands known as 1689 Road 2 East, and adopt the implementing by-law.

CARRIED

2. ZBA/05/17 - Application for Zoning Amendment Ed Ross 163 County Rd 27 W Pt. Lot 5, Concession 6 Roll No. 3711 460 000 01500

No comments from the public and no comments received by Ms. Brcic in advance of the meeting.

291-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Tony Gaffan

That Council approve Zoning By-law Amendment ZBA/05/17 to rezone the retained lands resulting from and as a condition of the approval of consent (B/21/16) from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 2 - Restricted (A2)' on lands currently known as 163 County Road 27 West, and adopt the implementing by-law.

CARRIED

G. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen indicated he may have a notice of motion for a future meeting and has an announcement.

H. ADOPTION OF ACCOUNTS

292-2017

Moved by Councillor Thomas Neufeld
Seconded by Councillor Susanne Coghill

Council approve Town of Kingsville Accounts for the monthly period ended March 31, 2017 being TD cheque numbers 0061501 to 0061793 for a grand total of \$1,444,992.01.

CARRIED

I. STAFF REPORTS

1. Folk Festival Letter of Significance

293-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

That Council approve the request for Event of Municipal Significance status for the 2017 Kingsville Folk Festival.

CARRIED

2. Celebrate Canada Grant

294-2017

Moved by Councillor Tony Gaffan
Seconded by Councillor Thomas Neufeld

That Council endorse the Kingsville Canada Day weekend program, and accept the grant from Heritage Canada in the amount of \$4000

CARRIED

3. PTSD Prevention Plan

295-2017

Moved by Councillor Larry Patterson
Seconded by Councillor Tony Gaffan

That Council receive the report of Acting Fire Chief J. Dean titled PTSD Prevention Plan, dated April 10, 2017.

CARRIED

4. Status Update - 950 Seacliff & ATI

296-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council receive the report of R. Brown, Manager of Planning and Development Services, dated March 22, 2017, regarding 950 Seacliff Drive (County Road 20) and direct Administration to look into how the Town can take steps to enforce the by-law and 2008 Agreement.

CARRIED

297-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council receive the report of R. Brown, Manager of Planning and Development Services, dated March 22, 2017, for information purposes on the status of the site plan approval and associated agreement for property located at 329 County Road 34 E also known at the ATI site.

CARRIED

5. 2017 1st Quarter Administrative Site Plan Approval Update

298-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council adopt the report of R. Brown, Manager of Planning and Development Services, dated March 30, 2017, for information purposes for the approved site plan amendments at 2464 – 2628 Division Road North, 141 Main St E and 1451 Road 2 E and authorize the Mayor and Clerk to sign the associated site plan amendments and register said amendments on title.

CARRIED

6. Rotary Parkland Transfer Agreement

299-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

That Council approve the land transfer agreement with Rotary Club of Cottam.

CARRIED

Mayor Santos called a five minute recess at 9:05 p.m. The Meeting reconvened at 9:13 p.m.

7. Fleet Replacement Report

300-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council approves the acquisition of the Fleet assets utilizing Fleet Management Reserves as followed:

One (1) 2018 Freightliner 114SD from Team Truck Center in Windsor outfitted with a Plow and salter by Viking Cives in Mt. Forest for the combined purchase price of \$208,176.87 inclusive of HST burden.

One (1) 2017 Dodge Ram Quad Cab 4x4 from Oxford Dodge in London equipped as required for the purchase price of \$36,185.20 inclusive of HST burden.

Two (2) 2017 Ford F-550 from Victory Ford in Chatham outfitted with aluminum dump body by Commander Industries in Strathroy for the combined purchase price of \$65,080.20 each inclusive of HST burden.

One (1) 2017 Ford F-250 Extended Cab 4x4 from Victory Ford in Chatham equipped as required for the purchase price of \$54,210.20 inclusive of HST burden.

CARRIED

8. Bridge Replacement over the Patterson Drain

301-2017

Moved by Councillor Thomas Neufeld
Seconded by Councillor Susanne Coghill

That Council appoint N.J. Peralta Engineering Inc. to prepare an engineer's report for the construction of a replacement bridge over the Patterson Drain on Kingsville Road 10 East.

CARRIED

9. Bridge Replacement over West Townline Drain

302-2017

Moved by Councillor Tony Gaffan
Seconded by Councillor Susanne Coghill

That Council appoint N.J. Peralta Engineering Inc. to prepare an engineer's report for the construction of a replacement bridge at the intersection of Essex County Road 23 and Kingsville Road 5 West over the West Townline Drain.

CARRIED

10. Bridge Installation for LRF Holdings Inc

303-2017

Moved by Councillor Larry Patterson
Seconded by Councillor Thomas Neufeld

That Council appoint N.J. Peralta Engineering Ltd. to prepare an engineer's report for the design and construction of an access bridge over the 3rd Con Clifford drain as requested by Mr. Bernerd Nelson of LRF Holdings for the lands known as 370-07300

CARRIED

11. Bernath Gardens Beginning of Maintenance

304-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Thomas Neufeld

That Council concur with the request of the Developer's Consultant to initially accept the Bernath Gardens Subdivision onto "Maintenance" for a period of no less than one year, and that the Clerk provide written confirmation to the

Developer of the date of initial acceptance of the development by Council resolution.

CARRIED

12. 2017 Grass Cutting and Trimming Tender

305-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Tony Gaffan

That Council approve the awarding of the 2017 Grass Cutting and Trimming Tender for various properties in the Town of Kingsville to Cedar Creek Landscaping in the amount of \$174,494.09 for a 3-year term.

CARRIED

13. Canadian Corps of Commissionaires-Dog Tag Sales

306-2017

Moved by Councillor Susanne Coghil

Seconded by Councillor Larry Patterson

That Council receive this report of J. Alexander, Deputy Clerk-Administrative Services, dated February 28, 2017, Re: Canadian Corps of Commissionaires-Dog Tags Sales, as information and permit staff to pursue other administrative methods to encourage dog tag compliance.

CARRIED

14. Rabies Clinic

307-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Tony Gaffan

That Council approves the Rabies clinic to be hosted by the Town of Kingsville in partnership with the Windsor Essex Humane Society.

CARRIED

15. Alternative Voting Method-Election 2018

308-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council approve Vote by Mail as the alternative voting method for the 2018 municipal election and have three (3) Ballot Return Stations, in Kingsville, Cottam and Ruthven on Voting Day for residents to return their mail in ballot.

Recorded	YEA	NAY
Mayor Nelson Santos	X	
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld	X	
Councillor Susanne Coghill	X	
Councillor Larry Patterson	X	
Deputy Mayor Gord Queen	X	
Councillor Sandy McIntyre		
Results	6	0

CARRIED

J. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

- 1. Community Living Essex County--Request to Raise Flag for one week in May; and request that Council consider proclaiming May as 'Community Living Month' in Kingsville**

309-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

Council approve request of Community Living Essex County to Raise Community Living Essex County Flag during the week of May 8 to 12; and Council proclaimed the month of May as "Community Living Month" in the Town of Kingsville.

CARRIED

2. Brenda Geauvreau, Communities in Bloom member--Letter of Resignation

310-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council accept the letter resignation of B. Geauvreau and direct that Administration prepare correspondence in response thanking her for her service and participation.

CARRIED

3. Appointment to Communities in Bloom Committee - Melissa Tremaine-Snip

311-2017

Moved by Councillor Thomas Neufeld

Seconded by Deputy Mayor Gord Queen

That Council confirm the appointment of Melissa Tremaine-Snip to the Communities in Bloom Committee for the balance of the Committee term.

CARRIED

K. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council - March 27, 2017

312-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Tony Gaffan

Council adopt the Regular Meeting of Council Minutes dated March 27, 2017

CARRIED

2. Regular Closed Session Meeting of Council - March 27, 2017

313-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

Council adopt the Regular Closed Session Meeting of Council Minutes, dated March 27, 2017

CARRIED

L. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Police Services Board-February 22,2017

314-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Thomas Neufeld

Council receive Police Services Board Minutes, dated February 22, 2017

CARRIED

2. Committee of Adjustment-February 21, 2017

315-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Tony Gaffan

Council receive Committee of Adjustment Meeting Minutes, dated February 21, 2017

CARRIED

3. Parks, Recreation, Arts and Culture Committee-February 16, 2017

316-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council receive Parks, Recreation, Arts and Culture Committee Meeting Minutes, dated February 16, 2017 together with the Minutes of the following sub-committees: Fundraising Committee, dated December 13, 2016; Fantasy of Lights, dated November 15, 2016; and Communities in Bloom Committee, dated November 8, 2016.

CARRIED

M. BUSINESS CORRESPONDENCE-INFORMATIONAL

1. **The Honourable Kathleen Wynne, Premier of the Province of Ontario-
Correspondence dated March 22, 2017 RE: AEDs (Response to Council
Motion 259-2017)**
2. **Ontario Association of Fire Chiefs-Correspondence dated March 10, 2017
RE: OAFC 2017 Municipal Officials Seminar**

317-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Thomas Neufeld

That Council receive information items 1 and 2.

CARRIED

N. NOTICES OF MOTION

1. **Deputy Mayor Queen may move, or cause to have moved:**

A motion in recognition of the benefits and values provided by the Communities in Bloom Program.

318-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

WHEREAS: In Canada, we are fortunate to have a multitude of Communities committed to fostering civic pride, environmental responsibility, and beautification; and

WHEREAS: Communities are committed to ensuring sustainable development for future generations; and

WHEREAS: Participation in Communities in Bloom builds communities, strengthens volunteer and community development, enhances social interaction and creates community pride; and

WHEREAS: The benefits provided by Communities in Bloom may boost the economy, create sustainability, enhance property values, attract new business, and increase tourism; and

WHEREAS: Our parks, open spaces, green spaces, and trails ensure sustainability, provide space to enjoy nature, help maintain clean air and water, and preserve plant and animal wildlife; and

WHEREAS: All community levels: municipal, residential, commercial, and industrial work together to ensure the voluntary sector and private enterprise throughout the County participate in the event; and

WHEREAS: A week in May has been designated in many communities as Communities in Bloom Week to recognize and celebrate the benefits derived from Communities in Bloom and the countless volunteers and individuals that make our communities great places to live; and

WHEREAS: Kingsville received five bloom recognition in 2016.

THEREFORE BE IT RESOLVED:

That in recognition of the benefits and values the Communities in Bloom program does provide, that the Week of May 22 to May 28 be designated as Communities in Bloom week in the Town of Kingsville; and further,

That Administration coordinate a CIB Flag Raising Event to be held Tuesday, May 23 at the Town Hall; and

That Administration post and promote on the Kingsville Web this event and supporting activities related to Communities in Bloom.

CARRIED

2. Deputy Mayor Queen may move, or cause to have moved:

Deputy Mayor Queen may move, or cause to have moved, at the next Regular Meeting that Council direct Administration to review the signage on Road 8 West.

O. UNFINISHED BUSINESS, ANNOUNCEMENT, AND UPDATES

1. Motion Excerpt RE: Draft Strategic Plan and Report of C.A.O. P. Van Mierlo-West (Tabled at March 27, 2017 Regular Meeting of Council)

319-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council lift Motion #270-2017 from the table and defer consideration of the Strategic Plan to a date after the Council Workshop, scheduled for April 29, 2017.

CARRIED

2. Announcement

Deputy Mayor Queen announced that Andrew Banar is being honoured at the 25th Alumni of Distinction Awards on Wednesday April 26th, 2017.

P. BYLAWS

1. By-law 26-2017

320-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council read By-law 26-2017, the comprehensive By-law for the Town of Kingsville (ZBA/05/17) a first, second, third and final time.

CARRIED

2. By-law 27-2017

321-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council read By-law 27-2017, the comprehensive Zoning by-law for the Town of Kingsville (ZBA/06/17) a first, second, third and final time.

CARRIED

3. By-law 36-2017

322-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council read By-law 36-2017, being a By-law to provide a report for bridge maintenance sharing on the Henderson Drain and Branches, in the Town of Kingsville, in the County of Essex a first and second time.

CARRIED

4. By-law 39-2017

323-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 39-2017, being by-law authorizing the entering into of an Agreement with Jeff Shepley Excavating Ltd. for the 2017 Rural road Program (Contract No. MS17-101-01) a first, second, third and final time.

CARRIED

5. By-law 42-2017

324-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council read By-law 42-2017, being a by-law authorizing the entering into of an Agreement with the Cottam Rotary Club in respect to the transfer of the Cottam Rotary Park to The Corporation to the Town of Kingsville a first, second, third and final time.

CARRIED

Q. CONFIRMATORY BY-LAW

1. By-law 43-2017

325-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 43-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its April 10, 2017 Regular Meeting a first, second and third and final time.

CARRIED

R. ADJOURNMENT

326-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Tony Gaffan

Council adjourn this Regular Meeting at 10:36 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo