



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, September 25, 2017
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9**

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

Members of J. Astrologo, Director of Corporate Services
Administration R. Brown, Manager of Planning & Development Services
 M. Durocher, Parks & Recreation Program Manager
 S. Kitchen, Deputy Clerk-Council Services
 S. Martinho, Public Works Manager
 K. Vegh, Drainage Supervisor
 P. Van Mierlo-West, CAO
 S. Zwiers, Director of Financial Services

Also in attendance: Mr. John Driedger (to be appointed to Council at the
 commencement of this Regular Meeting)

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 asked those present 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. Appointment of John Driedger as a member of Council

603-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council read By-law 85-2017, being a By-law to appoint John Driedger to the office of Councillor for The Corporation of the Town of Kingsville a first, second and third and final time.

CARRIED

2. Declaration of Office of John Driedger

Director Jennifer Astrologo administered the oath of office to John Driedger pursuant to Section 232 of the *Municipal Act, 2001*.

3. Gary Bain, E.L.K. Energy Inc. Board member, will present a general informational update pertaining to E.L.K. Energy Inc.

Mr. Bain updated Council on the Board's activities. He submitted to each member of Council a one-page performance Scorecard handout sheet for information and highlighted the same. He indicated that an E.L.K. administrator may be able to address Council at a future Meeting as to service costs details, service installation details, future planning, and staffing / hiring updates.

604-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council receive handout chart provided by Gary Bain, E.L.K. Energy Inc. representative, at this Regular Meeting, being E.L.K. Scorecard sheet for the period from 2011-2015, dated September 22, 2017 for information.

CARRIED

4. Richard Welker--Request dated August 16, 2017 RE: Drainage concerns (See Staff Report H6)

Mr. Welker, 160 Road 5 West, Cottam, detailed the information contained in his presentation package respecting maintenance of municipal drains in the Town of Kingsville, stating that ERCA regulations for maintenance have restricted adequate drainage of farmland, causing reduced yields, shorter planting window and increased soil erosion and phosphorous runoff. He referred to photographs of trees and brush in the Conklin Drain taken in July, 2017 and requested repair of the Conklin Drain (clean washouts, brush cleared from top to bottom of both banks). He highlighted brush cleaning methods set out in a past drainage report from 1974. As he has explained to the Town's Drainage Advisory Committee (of which he is a member), he is looking for maintenance practices that give drains 100% free flow to any body of water.

Mayor Santos brought forward Report of Mr. Ken Vegh, Drainage Superintendent RE: Drainage Act Responsibilities, dated September 29, 2017.

Mr. Vegh outlined and identified the Town's responsibilities and procedures as it relates to drain maintenance/repair or improvement under the *Drainage Act*. He responded to the various concerns described by Mr. Welker. He indicated that an updated engineer's report on the Nelson Drain might be something for Council and Administration to consider in the future.

605-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council receive Report of K. Vegh, Drainage Superintendent, RE: Drainage Act Responsibilities, dated September 29, 2017 for information.

CARRIED

606-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

That Council direct its Essex Region Conservation Authority member representatives, being Councillors Coghill and Patterson, to provide information from ERCA about drain maintenance practices and to bring that information back to Council.

CARRIED

**5. Ed Neves and Walt Tessling, Residents-Request dated September 17, 2017
RE: Concerns regarding Telecommunication Tower--690 County Road 50
(Heritage Road) (SEE Staff Report Item H-3)**

Jacqueline Dean indicating that she resides at 610 Heritage Road with her husband, Walter Tessling. She expressed strong concerns and objections with respect to the proposed tower installation as detailed in her email correspondence dated July 10, 2017 attached to Mr. Brown's Report No. PDS-2017-040.

607-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Thomas Neufeld

Council receive correspondence from Jacqueline Dean and Walt Tessling regarding the proposed telecommunications tower.

CARRIED

Ed Neves, 619 Malo St. expressed concerns and objections with respect to the proposed tower installation and highlighted items in the Town's existing 'Policy for the Development and/or Redevelopment of Communication and Broadcasting Facilities', including bulleted item 2 which indicates appropriate siting should fall 'outside of the site lines of Lake Erie' and bulleted item 4 'maintaining appropriate setbacks from property lines and adjacent public uses" among other guidelines contained therein, and asked Council to consider the same.

608-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Larry Patterson

That Council receive correspondence and presentation from Mr. Ed Neves regarding the proposed telecommunications tower.

CARRIED

Mayor Santos then brought forward Mr Brown's Staff report (Agenda item H-3)

H-3 --Report of R. Brown, Manager of Planning and Development Services RE: Telecommunications Tower - 690 County Road 50 (Heritage Road)

Mr. Brown confirmed that Rogers Telecommunications was approved for a location west of Oak Avenue and Cherry Avenue at the end of McCain Sideroad. Ms. Van Mierlo West confirmed that the Town presently has no agreement with Signum Wireless Corporation and that the Town did not initiate the proposal.

609-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

Council reject the Application from Signum Wireless Corporation for the installation of the telecommunication tower at the municipally-owned property site known as 690 County Road 50 (Heritage Road).

CARRIED

Mayor Santos called for a five minute recess at 8:37 p.m. and the Regular Meeting reconvened at 8:49 p.m.

F. AMENDMENTS TO THE AGENDA

Councillor Neufeld added one Notice of Motion, Deputy Mayor Queen added one Notice of Motion, and Councillor Patterson added one announcement.

G. ADOPTION OF ACCOUNTS

None.

H. STAFF REPORTS

1. Migration Fest Letter of Municipal Significance

M. Durocher, Parks and Recreation Programs Manager

610-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Tony Gaffan

Council approves the request for Event of Municipal Significance status for the 2017 Kingsville Migration Festival Quarter Auction.

CARRIED

2. Kingsville Community Grant Fund Policy

S. Zwiers, Director of Financial Services

611-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Thomas Neufeld

That Council direct that the Kingsville Community Grant Fund Policy be amended at section 3.2-1. (Grants) to reduce or eliminate the reference to 'up to a maximum of 50% of the organization's operating costs'.

CARRIED

612-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council direct that the Policy be amended under Section 5.0 (Responsibilities) to allow for Administration from Financial Services Department to receive **and review** applications to determine the completeness of the application.

CARRIED

613-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council bring back the revised draft Kingsville Community Grant Fund Policy and to review potential partner perspective (rather than grant perspective) for the Kingsville Folk Festival event.

CARRIED

Deputy Mayor Queen commented that consideration be given during 2018 budget deliberations to increasing flower costs and increasing minimum wage costs. Councillor Gaffan suggested a type of matrix to target goals and potential expenditures, with a breakdown between grants and partnership ideas between BIA and other associations to recognize uniqueness of some of those categories.

614-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council receive the balance of the Report of S. Zwiers, Director of Financial Services, RE: Kingsville Community Grant Fund Policy dated, August 2, 2017.

CARRIED

3. Telecommunication Tower – 690 County Road 50 (Heritage Road)

Mr. Brown's Staff Report H-3 was presented above (Refer to Item E-5 of these Regular Meeting Minutes).

4. Drainage Act Responsibilities

Mr. Vegh's Staff Report H-4 was presented above (Refer to Item E-4; presentation of R. Welker).

5. Rental Report - Kingsville

P. Van Mierlo-West, CAO

615-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council receive Report of CAO P. Van Mierlo-West RE: Rental Report-Kingsville, for information

CARRIED

6. Culture Days In-Kind Request

P. Van Mierlo-West, CAO

616-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Larry Patterson

That Council support the Culture Days Committee through the fee waiving of the Unico Centre and liability insurance, and that the funds be allocated from the Tourism and Economic Development Committee reserve.

CARRIED

I. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Group Hug Apparel - Be Strong Rock On - Request for Council support of Canadian Down Syndrome Awareness Week (November 1-7) by purchasing and displaying blue and gold ribbons

617-2017

Moved by Councillor Susanne Coghill

Seconded by Deputy Mayor Gord Queen

That Council support request of Karen Pickle on behalf of Andrew Banar and Group Hug Apparel by recognizing Down Syndrome Awareness Week (November 1-7).

CARRIED

In further support of Down Syndrome Awareness Week, Council will wear 'Be Strong Rock On' apparel at its first Regular Meeting in November. Andrew Banar will be invited to attend the meeting and the Kingsville BIA and other groups and organizations will be notified of the blue and gold ribbons initiative.

2. **Cottam Baseball (CAB) Fall Ball Tournament-Correspondence request that the Town authorize waiver of the regular user fees for the ball diamonds for CAB tournament held September 16 and 17, 2017**

618-2017

Moved by Councillor Larry Patterson

Seconded by Councillor John Driedger

That Council approve request for fee waiver of baseball diamonds for the Cottam Baseball 'Fall Ball' Tournament which coincided with the Cottam Rotary Horse Show.

CARRIED

3. **Application for Permit to Demolish from M. Tonietto, dated September 7, 2017 --SEE: Excerpt from Heritage Committee Minutes dated May 9, 2017 and correspondence indicating no heritage objections**

619-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council Consent to issuance of demolition permit for the property municipally known as 351 Lakeview Avenue, Kingsville.

CARRIED

J. MINUTES OF THE PREVIOUS MEETINGS

1. **Regular Meeting of Council--September 11, 2017**

620-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Larry Patterson

That Council adopt Regular Meeting of Council Minutes dated September 11, 2017.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville BIA--August 8, 2017

621-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghill

That Council receive Kingsville BIA Meeting Minutes dated, August 8, 2017.

CARRIED

2. Tourism and Economic Development Committee - August 3, 2017

622-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council receive Tourism and Economic Development Committee Meeting Minutes dated, August 3, 2017.

CARRIED

3. Planning Advisory Committee-August 15, 2017

623-2017

Moved by Councillor John Driedger

Seconded by Councillor Tony Gaffan

Council receive Planning Advisory Committee Meeting Minutes dated, August 15, 2017.

CARRIED

4. Union Water Supply System Joint Board of Management--August 2, 2017

624-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

That Council receive Union Water Supply System Joint Board of Management Meeting Minutes dated, August 2, 2017.

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Town of Halton Hills--Resolution passed August 28, 2017 to support Zero Tolerance Against Racism and Condemn all Racism Acts of Violence**
- 2. Leamington Area Right to Life-Correspondence dated September 6, 2017 RE: Life Chain to be held in Kingsville on October 1, 2017**
- 3. Ministry of Agriculture, Food and Rural Affairs, Environmental Management Branch-Correspondence dated September 14, 2017 RE: Notification of NASM Plan Approval granted to C. McLean**
- 4. Ministry of Agriculture, Food and Rural Affairs, Environmental Management Branch-Correspondence dated September 14, 2017 RE: Notification of NASM Plan Approval granted to Sun-Brite Foods Inc.**

625-2017

Moved by Councillor Larry Patterson

Seconded by Councillor John Driedger

That Council receive Business Correspondence - Information items 1 through 4.

CARRIED

M. NOTICES OF MOTION

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

That The Corporation of the Town of Kingsville supply and install two garbage containers at the Kingsville Dock.

626-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That The Corporation of the Town of Kingsville supply and install two garbage containers at the Kingsville Dock.

CARRIED

Administration will work with the Port Users Group to determine a suitable location.

- 2. Deputy Mayor Queen indicated he may at the next Regular Meeting move, or cause to have moved, that Council consider advancing the swing set installation at Cottam Rotary Park and advancing the funds for that installation from reserves.**

3. **Councillor Neufeld indicated he may at the next Regular Meeting move, or cause to have moved, that Administration prepare a report on the costing to screen the fencing around the dog park and to determine whether the screening is feasible.**

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Councillor Patterson reminded of the upcoming Ruthven Apple Festival weekend and he encouraged Council and staff to consider donating a couple of hours of their time to volunteer to assist with the festival events.

2. Mayor Santos reminded that the Parade line-up starts at 9:00 a.m. on Saturday, September 30 (during which our veterans will be recognized) and the opening ceremony for the Festival will follow after the parade.

O. BYLAWS

1. By-law 61-2017

627-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council read By-law 61-2017, being a By-law to provide for improvements to the McDonald Drain, in the Town of Kingsville, in the County of Essex, a third and final time.

CARRIED

2. By-law 96-2017

628-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 96-2017, being a by-law to amend By-law 1-2015, being a By-law to appoint certain members of Council and individuals to boards and committees a first, second and third and final time.

CARRIED

P. CLOSED SESSION

629-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Larry Patterson

That Council move into closed session at 10:01 p.m. to address an item pursuant to Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being update RE: Agreement of Purchase and Sale with Edward Remark & Sons Limited.

CARRIED

Q. REPORT OUT OF CLOSED SESSION

At 10:27 p.m. the Regular Meeting resumed in Open Session and there were no items to report.

R. CONFIRMATORY BY-LAW

1. By-law 97-2017

630-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council read By-law 97-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 25, 2017 Regular Meeting a first, second and third and final time.

CARRIED

S. ADJOURNMENT

631-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Thomas Neufeld

That this Regular Meeting adjourn at 10:27 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo