



# MINUTES

**REGULAR MEETING OF COUNCIL  
MONDAY, DECEMBER 12, 2016 AT 7:00 P.M.  
Council Chambers, 2021 Division Rd N., Kingsville, Ontario**

**A. CALL TO ORDER**

Mayor Santos called the Regular Meeting to order at 7:00 p.m. with the following persons in attendance:

**Members of Council:**

Mayor N. Santos  
Deputy Mayor G. Queen  
Councillor T. Gaffan  
Councillor T. Neufeld  
Councillor L. Patterson  
Councillor S. McIntyre  
Councillor S. Coghill

**Members of Administration:**

CAO P. Van Mierlo-West  
Director of Corporate Services J. Astrologo  
Director of Financial Services S. Zwiers  
Town Planner K. Brcic  
Deputy Clerk-Council Services S. Kitchen

**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**

**F. MATTERS SUBJECT TO NOTICE**

**1. PUBLIC MEETING – Rename Cottonwood Road West to Fuller Drive**

- i) Report of K. Brcic, Town Planner, dated December 1, 2016
- ii) Proposed By-law 110-2016, being a by-law to change the name of a highway (Cottonwood Road West to Fuller Drive)
- iii) Public Notice, dated November 9, 2016
- iv) Comments from J. Koop received December 7, 2016
- v) Comments received from J. Brown and N. Coates dated December 6, 2016
- vi) Comments from Dr. R. Stapleton, dated December 6, 2016

Ms. Brcic presented the Planning Report dated December 1, 2016 and recommendation to change the Street Name “Cottonwood Road West” to Fuller Drive. Properties on Cottonwood Road West have differing municipal addresses such as Cottonwood Avenue, Cottonwood Road and Cottonwood Road West. An adjustment for conformity is required. Comments received from Residents (above-captioned as items 1.iv, .v and vi) indicate they are opposed to the proposed by-law to change the name of the Road to “Fuller Drive”.

Councillor Neufeld commented that with today’s technology, the responders should be able to locate the addresses with no difficulty.

Councillor Gaffan indicated his support for the name change.

**Public Comments:**

James Koop, 1703 Cottonwood Road West, asked for clarification as to which of the seven affected properties identified on the location map is owned by the Town. He also stated that safety is ‘not a real issue’ and cited an example of a past incident in the affected area for which emergency services were called and the responders arrived with no delay.

Mayor Santos asked the Town Planner who brought the issues to her attention and she responded that the Town’s Tax Collector brought the municipal addressing discrepancies to the Town Planner’s attention.

Doug Duff, 71 Robin Court, asked if Town Administration sought comments from the Police or Fire Departments in this regard.

Ms. Brcic stated that comments were received from the Fire Dept. in support of the name change since the Cottonwood name as it is could pose response issues and difficulty identifying which Cottonwood the call was made for.

Mayor Santos stated that he recalled that, in past discussions regarding matters of this nature, the word ‘avenue’ and ‘road’ would be distinctive enough for emergency services’ identification.

Deputy Mayor Queen recalled that in or about the year 2002 there were several changes made regarding duplication of street names and street name suffixes and there was a lengthy discussion at the time. He stated that he does not see a problem with emergency services at this location but he does see that the residents are not in favour of the change to “Fuller Drive”. Deputy Mayor Queen stated that he would be in favour of the change to “Fuller Drive” if it posed an emergency response problem, but is not in favour of the change because the affected residents do not want it.

**685-2016** Moved by G. Queen, seconded by S. Coghill Council deny the request of Administration to rename ‘Cottonwood Road West’ to ‘Fuller Drive’.

**CARRIED**

2. **PUBLIC MEETING – Rename Colmenna Drive to DiMar Drive**

- i) Report of Town Planner, dated December 2, 2016
- ii) Proposed By-law 111-2016, being a by-law to change the name of a highway (Colmenna Drive to DiMar Drive)
- iii) Public Notice, dated November 9, 2016

There were no questions or comments from anyone in the audience.

It was noted that this area is vacant land and there are no assigned municipal addresses at this time.

**686-2016** Moved by G. Queen, seconded by L. Patterson Council approve By-law 111-2016 to rename Colmenna Drive to DiMar Drive.

**CARRIED**

**G. AMENDMENTS TO THE AGENDA**

- 1) Mayor Santos noted the addition of one Addendum Agenda.
- 2) Mayor Santos stated that an amendment will be made to the Confirmatory By-Law to change the by-law number from 125-2016 to 126-2016 so that it is consecutive to the assigned number of the Appointment By-Law, which will be amended to 'By-law 125-2016'.
- 3) Deputy Mayor Queen added two Announcements.
- 4) Councillor Patterson added one Unfinished Business item and one Announcement.
- 5) Councillor McIntyre added one Announcement and one Notice of Motion.

**H. ADOPTION OF ACCOUNTS**

- 1. **Town of Kingsville Accounts** for the monthly period ended November 30, 2016 being TD cheque numbers 0060275 to 0060586 for a grand total of \$1,442,036.58

**687-2016** Moved by S. McIntyre, seconded by S. Coghill Council approve Town of Kingsville Accounts for the monthly period ended November 30, 2016 being TD cheque numbers 0060275 to 0060586 for a grand total of \$1,442,036.58.

**CARRIED**

**I. STAFF REPORTS**

- 1. **S. Zwiers, Director of Financial Services—RE: 2016 Year End Reserve Transfers**, dated December 5, 2016

**688-2016** Moved by T. Neufeld, seconded by S. McIntyre that the balance of funds remaining in Councillor Neufeld's Convention account be allocated to Fantasy of Lights to pay for the operation of the train at Lakeside Park.

**CARRIED**

- 689-2016** Moved by T. Neufeld, seconded by G. Queen Council approves \$31,630.53 be transferred to the Water Equipment Reserve (03-000-032-39071) and \$45,049.00 be transferred from the General Administration Working Capital Reserve (03-000-032-31060).

**CARRIED**

2. **K. Brcic, Town Planner** – RE: PLC/01/16-Exemption from Part Lot Control, 1364674 Ontario Limited, Lots 10 and 11 on Plan 12M-587, York Subdivision– Phase 4A, dated November 21, 2016

- 690-2016** Moved by T. Neufeld, seconded by L. Patterson Council enact Part Lot Control Exemption By-law 116-2016 to allow Lots 10 and 11 on Plan 12M-587 to be exempt from Section 50(5) of the *Planning Act* and that Council authorize and direct Development Services to register the by-law on title, subject to the following conditions:

1. A revised lot grading plan be completed and submitted to the Town for approval;
2. A revised lot servicing plan where each lot has its own service connections (storm, sanitary and water); and
3. Applicant provide proof of separate service connections for Parts 13, 14 and 15.

**CARRIED**

3. **K. Brcic, Town Planner** – RE: PLC/03/16-Exemption from Part Lot Control, 1156722 Ontario Limited, Lots 9 and 19-36 on Plan 12M-619, York Subdivision – Phase 4B, dated November 21, 2016

- 691-2016** Moved by G Queen, seconded by S. Coghill Council Defer Report of K. Brcic, Town Planner RE: PLC/03/16 (Exemption from Part Lot Control, 1156722 Ontario Limited, Lots 9 and 19-36 on Plan 12M-619) pending a Public Meeting in January 2017 in order to circulate public notice to residents in the neighbourhood.

**CARRIED**

4. **J. Astrologo, Director of Corporate Services** – RE: 2016-2017 Meeting Schedule, dated December 5, 2016

- 692-2016** Moved by G. Queen, seconded by S. Coghill Council authorize the Corporate Services Department to publish the requisite notice to notify the public of the cancellation of the last meeting of December, 2016.

**CARRIED**

**J. BUSINESS / CORRESPONDENCE – ACTION REQUIRED**

1. **Draft 2017 Municipal Budget** for The Corporation of the Town of Kingsville

**693-2016** Moved by L. Patterson, seconded by S. McIntyre Council receive Report from S. Ingratta, Director of Financial Services RE: 2017 Draft Budget, dated December 12, 2016 and to set 2017 Municipal Budget deliberation dates for public notice as follows: January 10 from 9:00 a.m. to 3:00 p.m., January 31 from 9:00 a.m. to 2:30 p.m. (Community Grant Fund applications); and February 22 from 9:00 a.m. to 3:00 p.m. (if necessary)

**CARRIED**

2. **Les Menard, Kingsville Resident** - Petition of Residents requesting that the Town allow ATVs to use Kingsville's roadways, received on or about December 1, 2016

**694-2016** Moved by G. Queen, seconded by L. Patterson that Council receive Petition of residents filed by Les Menard requesting that the Town allow ATVs to use Kingsville's roadways and further that the Petition be forwarded to the Town of Kingsville Administration Management Group and to Kingsville Police Services Board for a follow-up report

**CARRIED**

3. **Association of Municipalities of Ontario (AMO)**—Correspondence dated December 1, 2016 requesting adoption of The Federal Infrastructure Phase 2 Incrementality Resolution in the form provided by AMO

**695-2016** Moved by T. Neufeld, seconded by T. Gaffan:

**WHEREAS** municipal governments' infrastructure is critical to our collective economic health;

**WHEREAS** stable, predictable and formula-based infrastructure funding allows municipal governments to plan and schedule investments in infrastructure;

**WHEREAS** Ontario municipal governments have asset management plans which set out a municipality's longer term capital plan which reflects the infrastructure priorities of these asset management plans; and

**WHEREAS** a federal incrementality rule interferes with municipal long-term infrastructure priorities and diminishes the value of municipal asset planning and management;

**NOW, THEREFORE BE IT RESOLVED** that the Town of Kingsville calls on the federal government to provide long-term, predictable, and formula-based funding in its Phase 2 programs for municipal governments; and

**BE IT ALSO RESOLVED** that the Town of Kingsville calls on the federal government to change incremental requirements in Phase 2 to recognize in Ontario that a municipal government's asset management plan meets a municipal incremental infrastructure requirement.

**CARRIED**

**K. MINUTES OF THE PREVIOUS MEETINGS**

1. Regular Meeting of Council—November 28, 2016
2. Special Meeting of Council—November 30, 2016

**696-2016** Moved by S. McIntyre, seconded by T. Neufeld Council adopt Regular Meeting of Council Minutes dated November 28, 2016 and Special Meeting of Council Minutes dated November 30, 2016

**CARRIED**

**L. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

1. **Kingsville Heritage Advisory**—October 12, 2016

**697-2016** Moved by T. Gaffan, seconded by L. Patterson Council receive Kingsville Heritage Advisory Meeting Minutes dated October 12, 2016

**CARRIED**

2. **Police Services Board**—October 26, 2016

**698-2016** Moved by L. Patterson, seconded by G. Queen Council receive Police Services Board Meeting Minutes dated October 26, 2016

**CARRIED**

**M. BUSINESS / CORRESPONDENCE – INFORMATIONAL**

1. **Township of McKellar**—Correspondence dated November 22, 2016 requesting support of Township of McKellar Resolution #16-384 regarding lack of funding opportunities for Fire Department capital costs within the Provincial Government's Infrastructure Strategy to Move Ontario Forward
2. **Assessment Review Board**—Memorandum dated November 24, 2016 RE: ARB Fees Increase Memorandum
3. **Ontario Good Roads Association Final Call for Nominations**—Correspondence dated November 28, 2016 RE: The Final Call for Nominations
4. **Town of Lakeshore**—Correspondence dated December 2, 2016 RE: Request for Support of Town of Lakeshore Resolution RE: Accommodation Review Process
5. **Township of Havelock-Belmont-Methuen**—Correspondence dated December 5, 2016 requesting Support of Resolution RE: Legislative Changes impacting Tax Registration and Tax Sales
6. **Guy Caron, MP for Rimouski-Neigette-Temiscouata-Les Basques**—Correspondence received December 6, 2016 RE: Request for support of Private Member's Bill to end unfair taxation on family business transfers (Bill C-274: Transfer of small business, family farm or fishing operation)
7. **Tay Valley Township**—Correspondence dated November 25, 2016 regarding its Resolution RE: Hydro One's Strategy Regarding Hydro Costs

**699-2016** Moved by T. Neufeld, seconded G. Queen Council receive information items 1-7

**CARRIED**

**Re: Information Item #6 –Guy Caron, MP Re Bill C-274**

**700-2016** Moved by G. Queen, Seconded by T. Neufeld Council requested that Administration research the Private Member's Bill to End Unfair Taxation on Family Business Transfers (Bill C-274) and bring back a report to Council pertaining to same.

**CARRIED**

**N. NOTICES OF MOTION**

Councillor McIntyre indicated she may, at the next Regular Meeting of Council, move or cause to have moved a motion that the balance of funds in her Convention account (2016 budget) be allocated to the Mettawas Park project.

**O. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES**

1. L. Patterson / Unfinished business item:

- i) Darryl Edwards contacted Councillor Patterson seeking an update on the New Designs matter.

CAO Van Mierlo-West advised that the Municipal Services Dept. now has a full complement of staff and the matter has been referred to that department for follow-up at the earliest time.

- ii) Councillor Patterson wished our residents, Council and staff a Merry Christmas and a successful 2017.

2. G. Queen / Announcements:

- i) A community dinner hosted by the Kingsville Community Church will be held on December 30, 2016 at the Royal Canadian Legion, Division St. S., Kingsville. The KCC has invited representatives from Council to assist in serving the dinner again this year.
- ii) Town of Kingsville Communities in Bloom---The CAO is assisting the Parks, Recreation, Arts and Culture Committee by obtaining input and suggestions from Committee Members and others as the CIB moves forward and if Council or others have ideas or suggestions regarding CIB, please provide them to Ms. Van Mierlo-West.

Deputy Mayor Queen thanked all who made this year a great success.

**701-2016** Moved by G. Queen, seconded by T. Neufeld Council receive Invitation from Paula Forster, Administrative Director of the Kingsville Community Church to assist with Community Dinner to be held on December 30, 2016 at the Royal Canadian Legion Br. #188; and further, to receive update/announcement from Deputy Mayor Queen concerning the Town of Kingsville Communities in Bloom Committee and Project, dated December 12, 2016.

**CARRIED**

- iii) S. McIntyre stated that she received a couple of telephone calls from residents to relay how wonderful the recent Fantasy of Lights Santa Claus Parade was and

that this community should be proud of it. The messages will be passed along to Maggie Durocher, Parks and Recreation Programs Manager, and to the Fantasy of Lights Committee.

iv) N. Santos / update

The Federation of Canadian Municipalities (FCM) is hosting a call for a representative from our Community to act as spokespersons in connection with next year's 'Canada 150' celebrations. He asked that if members of Council have a recommendation to forward to Mayor Santos.

## **P. BY-LAWS**

By-law 107-2016 Being a By-law to govern the use of the Linden Beach Dog Park, in the Town of Kingsville, being a Council designated leash-free zone

**702-2016** Moved by G. Queen, seconded by T. Neufeld Council read By-law 107-2016, being a By-law to govern the use of the Linden Beach Dog Park, in the Town of Kingsville, being a Council designated leash-free zone a first, second and third and final time.

**CARRIED**

By-law 111-2016 Being a By-law to change the name of a highway (Colmenna Drive to DiMar Drive)

**703-2016** Moved by G. Queen, seconded by T. Gaffan Council read By-law 111-2016, being a By-law to change the name of a highway (Colmenna Drive to DiMar Drive) a first, second and third and final time.

**CARRIED**

By-law 114-2016 Being a By-law to amend By-law 102-2013 as it relates to Designation of 189 Main St. West, Kingsville under the *Ontario Heritage Act*

**704-2016** Moved by G. Queen, seconded by L. Patterson Council read By-law 114-2016, being a By-law to amend By-law 102-2013 as it relates to Designation of 189 Main St. West, Kingsville under the *Ontario Heritage Act* a first, second and third and final time.

**CARRIED**

By-law 116-2016 Being a By-law to exempt certain lands from Part Lot Control (York Subdivision, Phase 4A-Plan 12M-587)

**705-2016** Moved by G. Queen, seconded by S. McIntyre Council read By-law 116-2016, being a By-law to exempt certain lands from Part Lot Control (York Subdivision, Phase 4A-Plan 12M-587) a first, second and third and final time.

**CARRIED**



By-law 123-2016 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

**706-2016** Moved by G. Queen, seconded by S. Coghill Council read By-law 123-2016, 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**

By-law 124-2016 Being a by-law to provide for the collection of the costs incurred for drainage works completed for 9<sup>th</sup> Concession Drain East of Belle River, Cameron Curry Drain (portion of), Gerald Bruner Drain & Branch, Graham Sideroad Drain, Gravel Pit Drain, Kunch Drain, Linden Beach Drain, Maddox Drain, Marten Drain, Matlock Drain, McCain Sideroad Branch of No. 47 Drain, McGuire Drain, McMahon Drain (portion of), Mills Drain & Extension, Nelson Drain (portion of), No. 5 Drain, North Townline Drain East of Belle River, North Townline Drain West of Belle River, North Townline Drain West of Ruscomb River, Orton Drain, Oxley Drain, Rear Road Branch of No. 47 Drain, South Malden Road Drain (Town of Essex), Staddon Drain, all in the Town of Kingsville

**707-2016** Moved by G. Queen, seconded by S. Coghill Council read By-law 124-2016, being a by-law to provide for the collection of the costs incurred for drainage works completed for 9<sup>th</sup> Concession Drain East of Belle River, Cameron Curry Drain (portion of), Gerald Bruner Drain & Branch, Graham Sideroad Drain, Gravel Pit Drain, Kunch Drain, Linden Beach Drain, Maddox Drain, Marten Drain, Matlock Drain, McCain Sideroad Branch of No. 47 Drain, McGuire Drain, McMahon Drain (portion of), Mills Drain & Extension, Nelson Drain (portion of), No. 5 Drain, North Townline Drain East of Belle River, North Townline Drain west of Belle River, North Townline Drain West of Ruscomb River, Orton Drain, Oxley Drain, Rear Road Branch of No. 47 Drain, South Malden Road Drain (Town of Essex), Staddon Drain, all in the Town of Kingsville a first, second and third and final time.

**CARRIED**

Addendum Agenda Item

By-law 125-2016 Being a by-law to appoint an Acting Fire Chief of The Corporation of the Town of Kingsville

**708-2016** Moved by G. Queen, seconded by L. Patterson Council read By-law 125-2016, being a By-law to appoint an Acting Fire Chief of The Corporation of the Town of Kingsville a first, second and third and final time.

**CARRIED**

**Q. CLOSED SESSION**

Addendum Agenda Item Q-1

**709-2016** Moved by S. Coghill, seconded by T. Gaffan at 7:55 p.m. and pursuant to Section 239(2) of the *Municipal Act, 2001* Council moved into closed session to address the following item:

1. Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees being verbal Report of CAO P. Van Mierlo-West.

**CARRIED**

**R. REPORT OUT OF CLOSED SESSION**

There were no items to Report.

**S. CONFIRMATORY BY-LAW**

By-law 126-2016 Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its December 12, 2016 Regular Meeting

**710-2016** Moved by G. Queen, seconded by L. Patterson Council read By-law 126-2016, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its December 12, 2016 Regular Meeting a first, second and third and final time

**CARRIED**

**T. ADJOURNMENT**

**711-2016** Moved by S. McIntyre, seconded by T. Gaffan Council adjourn this Regular Meeting at 8:23 p.m.

**CARRIED**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**