



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, February 12, 2018

6:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor John Driedger Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Absent: Councillor Susanne Coghill (on personal business)
Members of Administration	J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning & Development Services M. Durocher, Parks & Recreation Program Manager (@ 6:59 p.m.) S. Kitchen, Deputy Clerk-Council Services S. Martinho, Public Works Manager R. McLeod, Director of Financial Services C. Parsons, Fire Chief (@ 6:07 p.m.) A. Plancke, Director of Municipal Services (@ 6:45 p.m.) P. Valore, Chief Building Official P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:00 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 singing of O'Canada.

C. SINGING 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-5 year Official Plan Review

R. Brown, Manager of Planning and Development Services, and Randall Roth, WSP Canada Group Limited, Consulting Planner

Mayor Santos indicated that the Town is undertaking a 5-year review and update to its Official Plan and the purpose of this Public Meeting is to discuss potential revisions that may be required to the Official Plan and provide an opportunity for the public to offer comments to Council regarding any issues or matters that should be considered in an Official Plan Review.

Mr. Brown presented his Report dated February 7, 2018 and introduced Mr. Randall Roth, Senior Project Manager, WSP Canada Group Limited. Mr. Roth (through a powerpoint presentation) presented WSP Canada Group Limited's Report dated February 7, 2018 providing background information, discussion of matters to be addressed, and next steps, including public consultation and engagement.

There were no comments from anyone in attendance in the audience.

157-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council receives this report prepared by WSP dated February 7, 2018, respecting the Town of Kingsville 5-Year Official Plan Review: Statutory Special Meeting of Council under Section 26(3)(b) of the *Planning Act* for information purposes; and

That Council direct Administration and WSP Canada Group Limited to consider all public comments received during the Official Plan Review process.

CARRIED

2. PUBLIC MEETING--Proposed Changes – 2018 Fees and Charges By-law

J. Astrologo, Director of Corporate Services

Director Astrologo presented her Report dated January 31, 2018. Public Works Manager S. Martinho provided additional information explaining the proposed elimination of burial services on Sundays and Holidays, and Fire Chief C. Parsons provided additional information pertaining to the Fire Services proposed amendments.

158-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council direct Administration to amend the proposed fees and charges by-law to add a provision that requests for burial services on Sundays and holidays will be reviewed by Administration on a case-by-case basis.

CARRIED

159-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council passes By-law 17-2018, being a by-law to impose fees and charges by The Corporation of the Town of Kingsville, as amended, at this Regular Meeting.

CARRIED

3. PUBLIC MEETING--2018 Building Department Fees

Chief Building Official P. Valore presented the proposed 2018 Building Department fees.

160-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

Council pass By-law 18-2018 at this Regular Meeting.

CARRIED

4. PUBLIC MEETING--2018 Wastewater Rates

R. McLeod, Director of Financial Services

161-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approves the wastewater rates as proposed, effective April 1, 2018

CARRIED

5. PUBLIC MEETING--2018 Water Rates

R. McLeod, Director of Financial Services

162-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council approves the 2018 water rates, as proposed, effective April 1, 2018.

CARRIED

G. AMENDMENTS TO THE AGENDA

H. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended January 31, 2018 being TD cheque numbers 0064297 to 0064621 for a grand total of \$1,846,493.20**

163-2018

Moved By Councillor John Driedger

Seconded By Councillor Larry Patterson

That Council approve Town of Kingsville Accounts for the monthly period ended January 31, 2018 being TD cheque numbers 0064297 to 0064621 for a grand total of \$1,846,493.20.

CARRIED

I. STAFF REPORTS

1. Final Acceptance / Mettawas Lane Development

S. Martinho, Manager of Public Works was in attendance.

164-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council concur with the request of the Developer's solicitor and the Director of Municipal Services for the Town to grant "Final Acceptance" of the services for the Mettawas Lane Development, and for the Clerk to draft the appropriate By-Law in order to transfer ownership of the roadway and services to the Municipality.

CARRIED

2. Sun Valley Estates / Mucci Branco Phase 1 Final Acceptance

S. Martinho, Manager of Public Works was in attendance.

165-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council concur with the request of the Developer's consulting engineer and the Director of Municipal Services for the Town to grant "Final Acceptance" of the services for the Sun Valley Estates / Mucci Branco Phase 1, and for the Clerk to draft the appropriate By-Law in order to assume ownership of the roadway and services by the Municipality.

CARRIED

3. Municipal Access Agreement 157 Sumac Dr.

S. Martinho, Manager of Public Works

166-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council endorses the Municipal Access Agreement for a 6m Temporary Easement at 157 Sumac Dr. between William and Linda Marck and the Corporation of the Town of Kingsville.

CARRIED

4. On-Call Tree Service Contract

S. Martinho, Manager of Public Works

167-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council approves the awarding of the Request for Proposal for On-call Tree Services to County Wide Tree Service.

CARRIED

5. SPA/18/17 - Application for Site Plan Approval HVM Holdings Inc. Part of Lot 2, Concession 1 ED Part 1 & 2, RP 12R 26799 Roll No. 3711 220 000 00400

R. Brown, Manager of Planning and Development Services

168-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council approves SPA/18/17 to permit the development of a 1,100 sq. m (12,000 sq. ft.) medical clinic, and a two-phased residential condominium consisting of two, six storey buildings with a total of up to 120 dwelling units, both subject to separate site plan agreements, with each site plan agreement to be amended to reduce the number of parking spaces to that permitted in

accordance with The Town of Kingsville Comprehensive Zoning By-law, and further, That Council authorizes the Mayor and Clerk to sign the site plan agreements as amended and register said agreements on the title of each of the respective properties.

Amendment:

169-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council amend the motion to state that the site plan agreements be amended to reduce the overage of parking spaces by one-half (to allow 18 spaces, rather than 36 spaces).

CARRIED

Motion as Amended:

168-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council approves SPA/18/17 to permit the development of a 1,100 sq. m (12,000 sq. ft.) medical clinic, and a two-phased residential condominium consisting of two, six storey buildings with a total of up to 120 dwelling units, both subject to separate site plan agreements, with each site plan agreement to be amended to reduce the overage of parking spaces by one-half (to allow 18 spaces overall, rather than 36 spaces), and further, That Council authorizes the Mayor and Clerk to sign the site plan agreements as amended and register said agreements on title of each of the respective properties.

CARRIED AS AMENDED BY MOTION 169-2018

6. Kingsville Economic Development Plan

170-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council approves the Kingsville Economic Development Plan

CARRIED

J. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Deanna Sinasac, Windsor resident--Request that the Town of Kingsville recognize March 26, 2018 as 'Purple Day for Epilepsy' in the Town of Kingsville

171-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council recognize March 26, 2018 as 'Purple Day for Epilepsy' in the Town of Kingsville

CARRIED

2. Royal Canadian Legion Ontario Command--Request for support of 5th Annual Military Service Recognition Book

172-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council support the 5th Annual Military Service Recognition Book of The Royal Canadian Legion Ontario Command through the purchase of a 1/10 page (business card) advertisement.

CARRIED

K. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--January 29, 2018

173-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor John Driedger

That Council adopt Regular Meeting of Council Minutes, dated January 29, 2018.

CARRIED

L. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Police Services Board--November 1, 2017

174-2018

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receive Police Services Board Meeting Minutes, dated November 1, 2017.

CARRIED

2. Parks, Recreation, Arts and Culture Committee--November 23, 2017

175-2018

Moved By Councillor John Driedger

Seconded By Deputy Mayor Gord Queen

That Council receive Parks, Recreation, Arts and Culture Committee Meeting Minutes dated November 23, 2017, together with the following Sub-Committee Minutes: Fantasy of Lights dated September 26, 2017 and The 55+ Advisory Committee dated October 19, 2017.

CARRIED

3. Kingsville Municipal Heritage Advisory Committee--December 13, 2017

176-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated December 13, 2017.

CARRIED

M. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. City of Windsor--Office of Council Services- City Council Decision dated January 29, 2018 RE: Report of the Windsor Essex County Environment Committee**
- 2. Knights of Columbus Belle River Council 2775--Correspondence dated January 17, 2018 RE: Fundraising dinner in support of Ronald McDonald House Windsor**

177-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council receives information items 1 and 2.

CARRIED

N. NOTICES OF MOTION

- 1. Deputy Mayor Queen in his capacity as a Council representative to the BIA may move, or cause to have moved, that Council members:**
 1. Each be provided with a complete copy of By-law 77-2016;
 2. and approve or authorize the Clerk Jennifer Astrologo and Manager of Municipal Facilities and Property Tim Del Greco to respond to the question presented by the BIA as to what the requirements might reasonably be for consideration of a sublease of part of the site,
 - i) from a legal perspective; and
 - ii) from a building perspective,

in the event that the BIA might wish at some future date to consider same.

178-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council members:

1. each be provided with a complete copy of By-law 77-2016;
2. and approve or authorize the Clerk Jennifer Astrologo and Manager of Municipal Facilities and Property Tim Del Greco to respond to the question presented by the BIA as to what the requirements might reasonably be for consideration of a sublease of part of the site;
 - i) from a legal perspective; and
 - ii) from a building perspective,

in the event that the BIA might wish at some future date to consider same.

CARRIED

O. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

None.

P. BYLAWS

1. By-law 118-2017

179-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 118-2017, being a by-law to provide for the repair and improvements to the Ruscom River Drain, in the Town of Kingsville in the County of Essex a third and final time.

CARRIED

2. By-law 17-2018

180-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor John Driedger

That Council read By-law 17-2018, being a by-law to impose fees and charges by The Corporation of the Town of Kingsville, as amended, a first, second and third and final time.

CARRIED

3. By-law 18-2018

181-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 18-2018, being a By-law to Regulate Permits Issued under the Building Code Act, Set Fees, and Establish a Code of Conduct for the Chief Building Official and Inspectors a first, second and third and final time.

CARRIED

4. By-law 19-2018

182-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council read By-law 19-2018, being a By-law to impose a Water Rate and Sewage Rates, a first, second and third and final time.

CARRIED

5. By-law 24-2018

183-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 24-2018, being a By-law authorizing the entering into of a Clean Water and Wastewater Fund (CWWF) (Ontario) Transfer Payment Agreement Amendment No. 1 a first, second and third and final time.

CARRIED

6. By-law 27-2018

184-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 27-2018, being a by-law to amend By-law 101-2004, as amended, and to appoint a Director of Financial Services/Treasurer of The Corporation of the Town of Kingsville, a first, second and third and final time.

CARRIED

7. By-law 26-2018

185-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council read By-law 26-2018, being a By-law authorizing the entering into of a Medical Tiered Response Agreement with Essex Windsor EMS a first, second and third and final time.

CARRIED

8. By-law 28-2018

186-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor John Driedger

That Council read By-law 28-2018, being a By-law authorizing the entering into of a municipal access agreement with Linda Marck and William Marck a first, second and third and final time.

CARRIED

Q. CLOSED SESSION

187-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor John Driedger

That Council, at 7:32 p.m., pursuant to Section 239(2) of the Municipal Act, 2001 enter into Closed Session to consider the following matters:

1. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a report from the Director of Municipal Services re: the Town's proposed acquisition of land;
2. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, being a matter relating to the Town's proposed or pending disposition of a strip of vacant land adjacent to 225 North Talbot Road;
3. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, being an update by CAO P. Van Mierlo-West regarding Agreement of Purchase and Sale with Edward Remark & Sons Limited.

CARRIED

R. REPORT OUT OF CLOSED SESSION

The Regular Meeting of Council reconvened in Open Session at 8:04 p.m.

Mayor Santos reported RE: Closed Session Item Q-2, stating that a discussion was held in closed session pertaining to a proposed acquisition of a strip of vacant land and direction was provided to Administration to pursue the Town's potential purchasing of that subject strip of vacant land (described as Part 2 on Plan 12R-24558) adjacent to 225 North Talbot Road.

S. CONFIRMATORY BY-LAW

1. **By-law 29-2018**

188-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 29-2018, being a by-law to confirm the proceedings of The Corporation of the Town of Kingsville at its February 12, 2018 Regular Meeting a first, second and third and final time.

CARRIED

T. ADJOURNMENT

189-2018

Moved By Councillor John Driedger

Seconded By Councillor Thomas Neufeld

That Council adjourn this Regular Meeting of Council at 8:06 p.m.

CARRIED