



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, March 25, 2024
6:00 PM**

**Unico Community Centre
37 Beech Street
Kingsville, ON N9Y 1A9**

PRESENT Deputy Mayor Kimberly DeYong
Councillor Tony Gaffan
Councillor Debby Jarvis-Chausse
Councillor Sheri Lowrie
Councillor Thomas Neufeld
Councillor Larry Patterson

Members Absent Mayor Dennis Rogers

CAO, John Norton
Acting Clerk, Angela Toole

A. CALL TO ORDER

Deputy Mayor DeYong called the meeting to order at 5:15 p.m. and Council immediately moved in Closed Session.

B. CLOSED SESSION

061-033252024

Moved By Councillor Gaffan

Seconded By Councillor Lowrie

That Council move into Closed Session at 5:15 p.m. pursuant to section 239 of the *Municipal Act, 2001*, to consider the following items:

Item I - Board Appointments to be heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees.

CARRIED

C. LAND ACKNOWLEDGEMENT

Councillor Lowrie acknowledged the Three Fires Confederacy (Ojibwe, Potawatomie and Odawa) and the Traditional ancestral, unceded territory of Caldwell First Nation; the original people of Point Pelee, Pelee Island and its surrounding waters. We recognize and respect the First Nations who are stewards of the land and waters of Turtle Island and who have embraced this stewardship since time immemorial. We would also like to acknowledge all the moccasins who have walked lands of Turtle Island.

D. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM

Deputy Mayor DeYong invited everyone to participate in a moment of silent reflection and stand for the national anthem.

E. MAYOR'S WELCOME AND REMARKS

Deputy Mayor DeYong noted that Mayor Rogers was away.

F. AMENDMENTS TO THE AGENDA

Deputy Mayor DeYong noted the following amendment to the Agenda:

Category U. - Unfinished Business and Announcements - addition of "ERCA Cost Apportionment Update"

G. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor DeYong 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.

H. REPORT OUT OF CLOSED SESSION

The Clerk gave the following Report out of Closed Session:

Pursuant to Section 239 of the Municipal Act, 2001, Council entered into Closed Session at 6:59 p.m. on March 11, 2024, to discuss the following items:

Item I - Heritage Designations to be heard under Section 239(3.1) being educating or training members of the council, local board or committee; and, Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose. There is nothing further to report.

Item II - Committee Appointments heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees. There is nothing further to report.

Item III - Remark Agreement heard under Section 239(2)(c) being a proposed or pending acquisition or disposition of land by the municipality; and, Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose. There is nothing further to report.

Item IV - Labour Relations Matter heard under Section 239(2)(d) being labour relations or employee negotiations; and, Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

Item V - Water Meter Installations heard under Section 239(2)(a) being the security of the property of the municipality; Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees; and, Section 239(2)(f) being advice that is subject to solicitor-client privilege including communications necessary for that purpose. There is nothing further to report.

Item VI - Animal Control Matter heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees; and, Section 239(2)(f) being advice that is subject to solicitor-client privilege including communications necessary for that purpose. There is nothing further to report.

Item VII - Employee Matter Pertaining to a Local Board heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees; and, Section 239(2)(f) being advice that is subject to

solicitor-client privilege including communications necessary for that purpose.
There is nothing further to report. And;

Item VIII - Negotiations Respecting Medical Service Provision in Kingsville
heard under Section 239(2)(k) being a position, plan, procedure, criteria, or
instruction to be applied to negotiations. There is nothing further to report.

I. DELEGATIONS

No Delegations.

J. PRESENTATIONS

No Presentations.

K. MATTERS SUBJECT TO NOTICE

No Matters Subject to Notice.

L. REPORTS - PLANNING AND DEVELOPMENT SERVICES

1. 2024 Rural Road Tender Awards

062-03252024

Moved By Councillor Patterson

Seconded By Councillor Gaffan

1. That the 2024 Rural Road Resurfacing Tender **BE AWARDED** to Shepley Road Maintenance Ltd. in the amount of \$1,729,942 (excluding HST) and the Mayor and Clerk **BE AUTHORIZED** to execute the requisite agreement.
2. That the Graham Sideroad Resurfacing Tender **BE AWARDED** to GIP Paving Inc. in the amount of \$342,600 (excluding HST) and the Mayor and Clerk **BE AUTHORIZED** to execute the requisite agreement.

CARRIED

M. REPORTS - FINANCE AND CORPORATE SERVICES

1. Statement of Remuneration & Expenses for 2023

2. Tile Loan Application & Borrowing By-Law Adjustment

Ryan McLeod, Director of Finance, provided an overview of the subject Report.

063-03252024

Moved By Councillor Gaffan

Seconded By Councillor Lowrie

1. That Tile Drainage Debenture 23-2024 and the related Offer to Sell, **BE APPROVED**; and,
2. That By-Law 23-2024 to authorize the issuance and collection of Tile Loans under the Tile Drainage Act be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.
3. That Borrowing By-Law 25-2024 to raise money to aid in the construction of drainage works under the Tile Drainage Act be taken as having been

read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

For (6): Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld and Councillor Patterson

CARRIED (6 to 0)

N. REPORTS - FIRE RESCUE SERVICES

No Reports at this time.

O. REPORTS - PUBLIC OPERATIONS

No Reports at this time.

P. REPORTS - LEGAL, BUILDING AND BY-LAW SERVICES

No Reports at this time.

Q. REPORTS - CAO's OFFICE

1. Community Safety and Policing Act, 2019, and Joint OPP Detachment Board

064-03252024

Moved By Councillor Neufeld

Seconded By Councillor Patterson

1. That Council **APPOINT** Mayor Rogers to be the Town of Kingsville's council representative for the new Joint OPP Detachment Board - South, effective April 1, 2024; and,
2. That Council **APPOINT** Douglas Cowper to be the Town of Kingsville's community member representative for the new Joint OPP Detachment Board – South, effective April 1, 2024.

CARRIED

R. CONSENT AGENDA

065-03252024

Moved By Councillor Neufeld

Seconded By Councillor Jarvis-Chausse

That Items 1 through 3 on the Consent Agenda, **BE RECEIVED.**

1. **Regular Council Meeting Minutes - March 11, 2024**
2. **BIA Minutes - February 13, 2024**
3. **BIA Minutes - AGM February 28, 2023**

CARRIED

S. CORRESPONDENCE

No Correspondence.

T. NOTICES OF MOTION

No Notices of Motion.

U. UNFINISHED BUSINESS AND ANNOUNCEMENTS

1. ERCA Cost Apportionment - Non-Mandatory Programs

Ryan McLeod, Director of Finance, provided Council with an update as to ERCA Cost Apportionment for non-mandatory programs. Mr. McLeod noted that the City of Windsor, Town of LaSalle, and Town of Tecumseh recently opted out of contributing to the Land Acquisition Fund and noted that if the Town of Kingsville were to follow suit, the Town would see savings of approximately \$32,855 and that such funds could be redirected to the Town's Park Fees Reserve.

066-03252024

Moved By Councillor Jarvis-Chausse

Seconded By Councillor Gaffan

That Council **RECONSIDER** Resolution 258-11272023 wherein Council supported full participation in ERCA non-mandatory programs in an amount between \$57,372 and \$59,254 for the first year; and directed Administration to enter into an agreement with ERCA reflecting the same.

CARRIED

067-03252024

Moved By Councillor Gaffan

Seconded By Councillor Jarvis-Chausse

That Council **SUPPORT** funding participation in ERCA non-mandatory programs excluding the contribution to the Land Acquisition Fund;

And that Administration **BE DIRECTED** to enter into an agreement with ERCA reflecting the same; and,

And that the savings from opting out of the Land Acquisition program **BE REDIRECTED** to the Park Fees Reserve for the acquisition or development of future parkland.

For (4): Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse and Councillor Patterson

Against (2): Councillor Lowrie and Councillor Neufeld

CARRIED (4 to 2)

V. BYLAWS

068-03252024

Moved By Councillor Gaffan

Seconded By Councillor Lowrie

That the following By-law receive a third and final reading and finally pass:

By-law 01-2024 being a By-law to provide for the enclosure over the Division Road Drain North for Parcel Nos. 350-00900 and 350-01000 at a total estimated cost of \$330,900 in the Town of Kingsville, in the County of Essex

And that the following By-laws receive three readings and finally pass:

By-law 28-2024 being a By-law to Appoint Members to the Fantasy of Lights Committee and Migration Festival Committee;

By-law 29-2024 being a By-law to Amend By-law 68-2023 being a By-law to establish procedures governing the standards for the maintenance and occupancy of property within the municipality; and,

By-law 30-2024 being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its March 25, 2024 Regular Meeting of Council.

CARRIED

W. ADJOURNMENT

069-03252024

Moved By Councillor Patterson
Seconded By Councillor Jarvis-Chausse

That Council adjourns this Regular Meeting at 6:30 p.m.

CARRIED

DEPUTY MAYOR, Kimberly DeYong

ACTING CLERK, Angela Toole