

Public Meeting of Council

Minutes

Date: Tuesday, July 13, 2021
Time: 5:45 pm
Location: Electronic meeting live streamed at:
<https://video.isilive.ca/tecumseh/live.html>.

Present: Mayor, Gary McNamara
Deputy Mayor, Joe Bachetti
Councillor, Bill Altenhof
Councillor, Andrew Dowie
Councillor, Brian Houston
Councillor, Tania Jobin
Councillor, Rick Tonial

Also Present: Chief Administrative Officer, Margaret Misek-Evans
Director Public Works & Environmental Services, Phil Bartnik
Director Information & Communication Services, Shaun Fuerth
Director Corporate Services & Clerk, Laura Moy
Deputy Clerk & Manager Legislative Services, Jennifer

Alexander

Others: Drainage Superintendent, Sam Paglia
Drainage Engineer, Dillon Consulting Limited, Mark Hernandez,
P. Eng

A. Roll Call

B. Call to Order

The Mayor calls the meeting to order at 5:45 pm.

C. Disclosure of Pecuniary Interest

There is no pecuniary interest declared by a Member of Council.

D. Introduction and Purpose of Meeting

The purpose of the meeting is to hear comments from any affected landowners on the proposed Reconsidered Drainage Report for the Reassessment of the CYR Drain & Extension prepared by Mark D. Hernandez, P.Eng., of Dillon Consulting Limited, dated June 11, 2021.

Drainage Superintendent explains that the drainage report on the Cyr Drain was sent back to the Drainage Engineer for reconsideration due to the awareness of an amalgamation of lands within the assessment schedule. He explains that three landowners contacted the Town regarding the proposed report. The first

landowner was concerned that the drain was going through their property and would alter future development of those lands. It was explained that this report deals with the variation of assessment, and no improvement works as defined by the Act will be performed on the Cyr Drain and therefore, will not alter their lands.

The second landowner inquired about the area from the amalgamated parcels that sent the report back for reconsideration. These areas did not add up to the same area of the two parcels in the considered report. The Superintendent explained that the Drainage Engineer used survey data and information from the severance application to determine the accurate area within the watershed from the amalgamated parcel.

The Superintendent explains that the Town received a letter on July 12, 2021 regarding the concern of the third landowner to abandon the portion of drain behind their residence. The Superintendent advises Council that it is not recommended for legal status of upstream landowners, but indicated that further discussion is necessary with the landowners to educate them on the process of abandonment and the liability of same.

E. Delegations

1. Rick MacDonald

Re: CYR Drain

Barb MacDonald indicated that her husband, Rick MacDonald was unable to attend. The Drainage Superintendent advises the Members that he sent the link for the regulated abandonment form from the Ontario Ministry of Agriculture, Food and Rural Affairs and explained the process to the landowners.

The Mayor indicated that Council has the legal obligation to maintain and repair Municipal Drains and reinforced that abandonment of drains leaves the Town with the liability of the affect of the abandonment and Council will likely not accept that liability without the report of an Engineer through the abandonment process.

F. Communications

1. Notice of Meeting dated June 17, 2021
2. By-Law 2021-41

Being a bylaw to provide for the reassessment of the CYR Drain & Extension

Motion: PCM - 29/21

Moved By Councillor Tania Jobin

Seconded By Councillor Rick Tonial

That Communications - For Information 1 and 2 as listed on the Tuesday, July 13, 2021 Public Council Meeting Agenda, **be received**.

Carried

G. Reports

1. PWES-2021-34 Request to Reconsider Engineer's Report - Cyr Drain

Motion: PCM - 30/21

Moved By Councillor Brian Houston

Seconded By Councillor Rick Tonial

That the Reconsidered Drainage Report for the Reassessment of the CYR Drain & Extension (Drain) as prepared by Mark Hernandez, P. Eng., of Dillon Consulting Ltd. (Dillon), dated June 11, 2021 (Drainage Report) **be received**;

And that consideration **be given** to the first and second readings of Provisional By-law No. 2021-41 to adopt the Drainage Report in accordance with Section 42 of the Drainage Act (Act);

And further that notice **be given** to all affected landowners of the Court of Revision to be held on Tuesday, September 14, 2021 at 6:15 pm in accordance with Section 46(1) of the Act, subject to the adoption of the provisional by-law.

Carried

H. Adjournment

Motion: PCM - 31/21

Moved By Councillor Bill Altenhof

Seconded By Deputy Mayor Joe Bachetti

That there being no further business, the Tuesday, July 13, 2021 meeting of the Public Council Meeting **be adjourned** at 5:55 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk