

## **Public Meeting of Council**

### **Minutes**

Date: Tuesday, February 8, 2022  
Time: 6:15 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, Tania Jobin  
Councillor, Rick Tonial

Absent: Councillor, Brian Houston

Also Present: Chief Administrative Officer, Margaret Misk-Evans  
Director Public Works & Engineering Services, Phil Bartnik  
Director People & Culture, Michelle Bonnici  
Director Technology & Client Services, Shaun Fuerth  
Director Financial Services & Chief Financial Officer, Tom Kitsos  
Director Legislative Services & Clerk, Laura Moy  
Deputy Clerk & Manager Legislative Services, Jennifer Alexander  
Manager Engineering Services, John Henderson  
Assistant Drainage Superintendent, Alessia Mussio  
Drainage Superintendent/Engineering Technologist, Sam Paglia

Others: Drainage Engineer, Dillon Consulting Ltd., Mark Hernandez,  
P.Eng.  
Drainage Engineer, Dillon Consulting Ltd., Oliver Moir

#### **A. Roll Call**

#### **B. Call to Order**

The Mayor calls the meeting to order at 6:15 pm.

#### **C. Land Recognition**

We acknowledge that we are on land and surrounded by water, originally inhabited by Indigenous Peoples who have travelled this area since time immemorial. This territory is within the lands honoured by the Wampum Treaties; agreements between the Anishinaabe, Haudenosaunee, Lenni Lenape and allied Nations to peacefully share and care for the resources around the Great Lakes. Specifically, we would like to acknowledge the presence of the Three Fires

Confederacy Ojibwe, Odawa, Potawatomi and Huron/Wendat Peoples. We are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit and Métis.

**D. Disclosure of Pecuniary Interest**

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

**E. Introduction and Purpose of Meeting**

The purpose of the meeting is to hear comments from any affected landowners on the proposed drainage works, as set out in the Drainage Report filed by Mark Hernandez of Dillon Consulting Limited dated November 12, 2021, for the repair and improvement to the Antaya Drain.

The Director Public Works & Engineering Services introduces the new Assistant Drainage Superintendent Alessia Mussio to the Members.

The Drainage Superintendent provides an update since the notice was mailed out to the affected property owners. He explains that the Town has received a few comments from the landowners in the Lesperance Road area regarding the Drainage Act (Act) and provided a description of how assessments are generated, and their rights and responsibility as a property owner under the Act. The Superintendent acknowledges the inquiries raised by the delegation Josette Eugeni and Jeff Sylvestre, which are both, technical and assessment questions.

**F. Delegations**

**1. Mark Hernandez, P. Eng., Dillon Consulting Limited**

Mr. Mark Hernandez is joined by Oliver Moir, and provides a brief background to the Drainage report as appended to the agenda. He outlines the technical and assessment related concerns from the delegation who are present at the meeting but acknowledges that the Meeting to Consider is specifically related to issues of a technical nature. Any issues relating to assessment are heard and dealt with at the sitting of the Court of Revision.

In relation to the technical question posed by the delegates on if the yard catch basin is necessary, the Drainage Engineer submits that during the time of construction, they can review the replacement of the yard catch basin and consider an alternate means such as providing a swale, or land grading in place of the yard catch basin, if the delegation is amenable. He does not recommend removing the catch basin from the Drainage Report and indicates that at the time of construction, the Engineer/Superintendent can provide instruction to the contractor regarding the yard catch basin. As a result of the realignment of the drain, costs for the proposed works are being assessed to the entire drain.

He mentions another concern of the delegation, where a parcel is listed as a non-agricultural property, but should be listed as agricultural along with

inconsistencies with ratios in the construction assessment schedule, future maintenance schedule; and how the reduction of area in one parcel from information gathered at the Public Information Centre subsequently changed in the report ratios for other parcels which resulted in an increase for that parcel's benefit assessment as it relates to front footage adjacent to the drain and the lineal portion of their benefit liability. Mr. Hernandez recommends an adjustment to the frontage benefit to be aligned with the other properties.

The Mayor opens the floor for questions from the Members.

A Member inquires about the catch basin privately installed and the burden of cost to the property owner. Mr. Hernandez explains that cost burden is a result of the relocation of the drain and not the responsibility of the landowner, and these costs are shared by the entire watershed.

**2. Josette Eugeni and Jeff Sylvestre, James Sylvestre Developments Ltd**

Jeff Sylvestre explains that the catch basin was installed as a result of the landowner trying to repair poor drain function and should not be the responsibility of the watershed. He is satisfied with the Drainage Engineer's recommendation to reassess at the time of construction for the replacement of the yard catch basin. Mr. Sylvestre comments that if the catch basin is not required then it be eliminated as proposed works. The remainder of his assessment concerns will be presented at the Court of Revision meeting.

The Mayor opens the floor for questions from the Members.

A Member recommends that the Drainage Report indicate that, at the time of construction, the catch basin will be reviewed by the Drainage Engineer.

The Drainage Superintendent explains that the issues presented are not enough from a technical standpoint for Council to send the report back to the Engineer for revisions. The issues relating to assessment will be heard at the Court of Revision and the report may be sent back at that time should Council choose. All affected landowners will be given a revised copy of the report with the necessary revisions before the revised report is taken to a second sitting of the Court of Revision for adoption.

**G. Communications**

1. Notice of Public Meeting dated January 6, 2022
2. By-Law 2022-005

Being a by-law for the repair and improvements of the Antaya Drain

**Motion: PCM - 01/22**

Moved By Councillor Rick Tonial  
Seconded By Councillor Tania Jobin

**That** Communications - For Information 1 and 2 as listed on the Tuesday, February 8, 2022 Public Council Meeting Agenda, **be received**.

Carried

**H. Reports**

1. **PWES-2022-02 Report to Consider Engineer's Report - Antaya Drain**

**Motion: PCM - 02/22**

Moved By Deputy Mayor Joe Bachetti  
Seconded By Councillor Tania Jobin

**That** the Report and Specifications for the Antaya Drain (Drain) as prepared by Mark Hernandez, P.Eng., of Dillon Consulting Limited., dated November 12, 2021 (Drainage Report) **be received**;

**And that** consideration **be given** to the first and second readings of Provisional By-law No. 2022-05 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, March 8, 2022, at 5:30 pm in accordance with Section 46(1) of the Act, subject to the adoption of the provisional by-law.

Carried

**I. Adjournment**

**Motion: PCM - 03/22**

Moved By Councillor Bill Altenhof

Seconded By Councillor Andrew Dowie

**That** there being no further business, the Tuesday, February 8, 2022 meeting of the Public Council Meeting **be adjourned** at 6:41 pm.

Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk