



**SPECIAL MEETING OF COUNCIL
MINUTES**

**Tuesday, September 26, 2017
7:00 PM**

**Kingsville Arena Complex - Auditorium A
1741 Jasperson Lane
Kingsville, ON N9Y 3J4**

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Councillor John Driedger
Members of Administration	J. Astrologo, Director of Corporate Services S. Kitchen, Deputy Clerk-Council Services S. Martinho, Public Works Manager A. Plancke, Director of Municipal Services K. Vegh, Drainage Supervisor P. Van Mierlo-West, CAO S. Zwiers, Director of Financial Services R. Mackie, Public Works Supervisor/Engineering Coordinator

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:02 p.m.

B. 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.

C. MATTERS SUBJECT TO NOTICE

ENGINEER'S REPORT CONSIDERATION - Esseltine Drain, Town of Kingsville

L. Zarlenga, P. Eng. and K. Vegh, Drainage Superintendent

- i) Notice of Meeting to Consider the Engineer's Report, dated August 29, 2017;
- ii) Engineer's Report, dated June 17, 2016 (RC Spencer Associates Inc. Project No.: 14-425) comprised of Book 1 (Report), Book 2 (Drawings) and Book 3 (Addendum Report)
- iii) Proposed By-law 93-2017, being a By-law to provide for the repair and improvement of the Esseltine Drain in the Town of Kingsville, in the County of Essex (RC Spencer Associates Inc. Project No. 14-425) to be provisionally adopted at this Regular Meeting; and
- iv) By-law 76-2017 being a by-law authorizing an extension of time for the filing of the engineer's report for the Esseltine Drain.

Engineer Zarlenga presented the Municipal Drainage Report prepared for the Town of Kingsville for the Esseltine Drain. He indicated that the Report comprises 3 parts, being Book 1 (Report), Book 2 (Drawings) and Book 3 (Addendum Report). By way of background, pursuant to Section 78 of the *Drainage Act*, the Town accepted a request from the Town's Administration to repair and improve the Esseltine Drain. The Town, acting as the initiating municipality subsequently appointed RC Spencer Associates Inc. to make an examination and prepare a report. The intent of the report is to provide for the repair and improvement of the Esseltine Drain, being an existing municipal drain and to convert the natural watercourse downstream of County Road 20 to a municipal drain. Presently, the natural watercourse is adversely affecting the ravine and the ravine side slopes are failing. The recommended works would be to stabilize the bottom, provide a water conveyance system and provide erosion control at the Lake itself. The total cost of the drainage works is estimated at \$4,072,005.00.

Comments from the audience:

Vicki Calcott, 1521 Brookview Drive, advised that the area she lives in is "losing nature" because their backyards are overflowing. She invited Council to attend her property to view the overflow. Mr. Vegh stated that he is aware of the issue in that area and the scope of this project will not alleviate this situation. Ms. Calcott will contact Mr. Vegh directly in this regard after this meeting for further investigation. She then asked if there is any guarantee that the construction of the proposed Esseltine Drainage works will not damage their septic system.

Mr. Vegh indicated that the contractors who will perform the construction have insurance policies in place to cover damage caused by construction, if any occurs, and that all necessary precautions will be taken. He stated there is one entire septic system that will have to be replaced (R. Hicks).

Mayor Santos then asked the representatives of RC Spencer Associates to review their Powerpoint presentation in an effort to explain the recommended works, including construction design, allowances, special benefit assessments and other items.

Presentation by Marvel Hormiz and Shane Lafontaine of RC Spencer Associates Inc.:

Mr. Hormiz and Mr. Lafontaine explained the proposed works through various cross-section drawings, charts, maps and photographs. The existing Esseltine Drain situated north of County Road 20 (Seacliff Dr.) will be extended to a sufficient outlet into Lake Erie. Bank stabilization to the ravine area will be provided as detailed. The outlet of the Esseltine Drain will also be provided substantial protection in order to safeguard the improvements made to the upstream areas of the Drain. The photographs shown depict where tree roots are unable to grab onto the ground and stay up. This erosion has been occurring for some time because of the flow of water and erosion protection efforts have failed.

Questions and comments from the audience:

Jennifer Fraser, 1516 Whitewood asked what the reference to the Richard Hicks Branch Drain and the Mucci-Hicks Branch Drain in the report pertains to. Mr. Vegh explained that those drains, which are minor in size, need to be updated and those works are included in the project.

Anne Evers, 1906 Road 3 East asked if the greenhouse owners will be assessed more than property owners who own residential lots. Mr. Zarlenga explained that the greenhouse will be assessed a larger amount; that the method of calculation is based on the size of the greenhouse operation, the run-off coefficient chart, and the nature of the works that are on that property.

Mr. Mattia, 1636 Talbot Road asked, if the works are being done south of County Rd. 20 why would his property be assessed? Mr. Vegh explained that properties that contribute water to the downstream watercourse are assessed.

Kim Iaquina, 1519 Brookview Drive, stated that the Esseltine Drain drains from north to south toward the lake. She wondered if it also drains west to east, or east to west. She asked how the engineer determines all of the drainage areas. Mr. Hormiz explained that the engineers review historical reports and see where

the drainage areas end, and stated that in the majority of these parcels, the water goes through storm systems underground and outlets into the drain.

Ms. Iaquina asked if there is any data that predates the greenhouse operations showing the volumes of water that flow through the natural watercourse, and asked whether the greenhouses paying contributively.

Engineer Zarlenga confirmed that to calculate the charges to be assessed to the greenhouse operators they use run-off coefficient calculations and aerial photographs.

Scott Shilson, 1510 Whitewood Rd., asked if the hydro pole behind his property will be removed during construction. Mr. Zarlenga indicated the pole would be removed at the time of construction with the cost to be borne by the appropriate hydro company.

Harry Keller, 1810 Talbot Road, asked if there are any construction mitigation plans in place during the construction process that will control sediment from flowing into the water.

Mr. Zarlenga confirmed that the construction will be inspected continuously from start to finish, that there are environmental regulations to be adhered to, and silk screens and other barriers will be used to control sediment and flow.

Andrew Dann, 1512 Whitewood Rd., asked how outlets to existing drains will be managed throughout the construction. Mr. Zarlenga showed the cross section of 600 diameter pipe for low-flow water control during construction.

There were no further questions from the audience.

There were no further questions or comments from Council.

632-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council adopt Engineer's Report dated June 17, 2016 (RC Spencer Associates Inc. Project No. 14-425), read By-law 93-2017 a first and second time at this Special Meeting, and schedule Court of Revision for a future date.

CARRIED

D. BYLAWS

1. By-law 76-2017

633-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 76-2017, being a by-law authorizing an extension of time for the filing of the engineer's report for the Esseltine Drain (RC Spencer Associates Inc. Project No. 14-425) a first, second and third and final time.

CARRIED

2. By-law 93-2017

634-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council read By-law 93-2017, being a by-law to provide for the repair and improvement of the Esseltine Drain and the construction of the Richard Hicks Branch Drain and the Mucci-Hicks Branch Drain in the Town of Kingsville, in the County of Essex a first and second time.

CARRIED

E. CONFIRMATORY BY-LAW

1. By-law 98-2017

635-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council read By-law 98-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 26, 2017 Special Meeting, a first, second and third and final time.

CARRIED

F. ADJOURNMENT

636-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghill

That Council adjourn this Special Meeting at 8:05 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo