



## **COURT OF REVISION**

### **MINUTES**

**Monday, April 10, 2017**

**6:45 PM**

**Council Chambers**

**2021 Division Road N**

**Kingsville, Ontario N9Y 2Y9**

Members of Council    Mayor Nelson Santos  
                                 Councillor Thomas Neufeld  
                                 Councillor Susanne Coghill  
                                 Councillor Larry Patterson  
                                 Deputy Mayor Gord Queen

Members of                P. Van Mierlo-West, CAO  
Administration         K. Vegh, Drainage Supervisor  
                                 J. Astrologo, Director of Corporate Services  
                                 J. Alexander, Deputy Clerk - Administrative Services

#### **A.     OPENING COURT OF REVISION**

Mayor Santos called the Court of Revision to order at 6:49 p.m.

#### **B.     DISCLOSURE OF PECUNIARY INTEREST**

Mayor Santos reminded the members 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.     ORDER OF APPEALS OF ASSESSMENTS**

##### **1.     2nd Concession Branch of the Esseltine Drain - Bridge for Bert Mucci**

K. Vegh, Drainage Superintendent and L. Zarlenga, P. Eng. (RC Spencer Associates Inc., Consulting Engineers; File no. 16-568)

- I) Notice of Sitting of Court of Revision, dated March 16, 2017
- ii) Drainage Report including Schedules of Assessment for Construction and Maintenance
- iii) Excerpt from the Regular Meeting of Council, dated March 13, 2017 (Report Consideration)
- iv) By-law 28-2017, provisionally adopted on March 13, 2017
- v) Notice of Objection and Appeal to the Clerk of the Town of Kingsville from Neil and Tracy Reimer, dated March 31, 2017
- vi) Correspondence to the Clerk of the Town of Kingsville from Michael Del Ciano dated March 31, 2017
- vii) Email correspondence from Engineer Zarlenga, dated April 3, 2017 in response to Mr. Del Ciano.

**1. Comments from Property Owners**

There were no comments from the audience.

**2. Comments from Engineer**

Engineer Zarlenga commented on the applicable provision s.97 of the Drainage Act pertaining to Mr. and Mrs. Reimer's correspondence regarding the unfair estimate. He explained that the existing 1976 Engineer's Report outlines that the fee estimate Schedule is in effect until the new Schedule is approved. The 1976 schedule would actually require the property owners to pay more than what the proposed schedule contemplates.

Mr. Zarlenga indicated that he has addressed and responded to Mr. Del Ciano's concerns and Mr. Del Ciano was satisfied with the response.

**CR4-2017**

Moved by Councillor Susanne Coghill

Seconded by Councillor Larry Patterson

To receive correspondence from Neil and Tracy Reimer, dated March 31, 2017 and to receive correspondence from Michael Del Ciano, dated March 31, 2017.

**CARRIED**

**CR5-2017**

Moved by Councillor Larry Patterson  
Seconded by Deputy Mayor Gord Queen

That the Schedule of Assessment for the construction of a bridge over the 2nd Concession Branch of the Esseltine Drain (Owner: Mucci Farms 290-38700; RC Spencer Associates Inc. File No. 16-568) in the Town of Kingsville, in the County of Essex be confirmed.

**CARRIED**

**D. CLOSE COURT OF REVISION**

**CR6-2017**

Moved by Councillor Susanne Coghil  
Seconded by Councillor Thomas Neufeld

That the Court of Revision to provide for a bridge over the 2nd Concession Branch of the Esseltine Drain; Owner: Mucci Farms Ltd. (290-38700) in accordance with Provisional By-law 28-2017, in the Town of Kingsville, in the County of Essex, be closed.

**CARRIED**

**E. ADJOURNMENT**

The Court of Revision adjourned at 6:56pm.

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MAYOR, Nelson Santos

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CLERK, Jennifer Astrologo