

Minutes - The Blue Mountains Special Council Meeting



MEETING DATE: July 6, 2009

LOCATION: L. E. Shore Memorial Library

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Deputy Mayor McKinlay called the Special Meeting of Council to Order with all members in attendance.
- Also in attendance was CAO Paul Graham, Director of Finance Rob Cummings, Director of Planning and Building David Finbow, Director of Special Projects Peter Tollefsen, Director of Recreation Shawn Everitt, Manager of Water & Wastewater Services John Caswell, Planner Bryan Pearce, Senior Policy Planner Cindy Welsh, Planner Shawn Postma and Engineering Design Technologist Tom Gray
- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT the Special Meeting Agenda of July 6, 2009 be approved as circulated, including any items added to the Agenda, unanimously Carried.
- No member declared a pecuniary interest with any matter as listed on the Agenda.

B. Public Meetings/Deputations

None

C. Motions and Staff Reports

C.1 New Town Hall, PL.09.86

Director of Planning and Building David Finbow reviewed the Report in light of the recent stimulus funding received by the Town and reviewed the design and changes made to the design of the new Town Hall. David noted the funding received by the Town included \$2.3 million from the Province and \$2.3 million from the Federal Government.

David then reviewed the proposed funding formula and noted Financial Services have reviewed different scenarios for funding the new Town Hall and further noted the funding requires that the projects be completed by March 2011.

David advised Council of pending brownfield financing and grant applications to the Federation of Canadian Municipalities, noting that FCM offers below prime interest rates for Brownfield Projects.

David reviewed a proposal that the Town proceed to build the new Town Hall by way of construction management to facilitate a quick start to construction with an intent to convert this construction management arrangement to a lump sum contract as soon as possible. David noted the construction manager would have 3 to 4 suppliers bidding for each component of construction, much the same as a General Contractor would with the exception being that the Town would issue Purchase Orders and/or sign the related contracts.

David then noted a LEED Consultant is to be on board prior to the commencement of the detailed design. David then reviewed the landscape design services and recommended that the Town proceed with direct negotiation with Envision Tatham as they are intimately familiar with the site due to their previous consulting work.

David then reviewed the issue of parking, both temporary and permanent, for the site.

David reviewed the next steps and noted Council will be required to endorse the final design (exterior and interior) in mid-August, further noting Council approval would be required for significant design features.

David then noted Town solicitor, John Metras, is satisfied with the basis of the Canadian Standard Construction Management Contract.

David then reviewed the LEED Certification and procedure for retaining a LEED consultant, noting the cost to retain same will likely be in excess of \$60,000.

David then noted that the Town will do as much as possible in-house to keep the costs down.

David further noted the Georgian Trail Board of Management will be consulted as it relates to improvements within their lands as well as the possible diversion of the Trail in the former Bayview Campground.

Mayor Anderson then referenced the recent funding received for the reconstruction of the Beaver River Bridge and questioned when construction will take place, CAO Paul Graham replying the Town received \$1.3M in funding to

reconstruct the bridge and further noted the Province requires that the bridge be completed as soon as possible, noting the two largest challenges will be the requirement for a staging area for two construction sites and parking.

Ellen then noted the possibility of receiving low interest rate loans and grant funding from FCM due to the brownfield nature of the development.

Ellen then noted that the business owners need to be made aware that parking for their businesses will be addressed.

Councillor McKean then spoke, referencing contract management and questioned how the Town can use as many local businesses as possible for construction, David replying that it is next to impossible to ensure this, further noting all the Town can do is to encourage the construction manager to use as many local businesses as possible. David further noted that businesses such as local suppliers of construction materials and goods, restaurants, coffee shops and the like will receive benefit. In addition, David noted that local labour will be required for the project.

Councillor Martin then questioned the Construction Management Contract, David replying at some point the contract will move to a stipulated price contract.

Michael then suggested removing the portion of the recommendation referencing the CCDC and also removing reference to the issue of parking in the recommendation. Michael suggested a second resolution be passed regarding the issue of parking.

Councillor Gamble then spoke questioning the cost of contract manager fees, David replying the fees are generally 3 – 5% of the estimated cost of construction, which will be approximately \$280,000 to \$350,000.

Bob then expressed concern with the demolition of the current Town Hall and noted the Town is currently trying to fund a new medical clinic and questioned if the current Town Hall building could be used for a new medical clinic, noting the general taxpayer would appreciate this, adding he believes the current building could make an excellent interim facility until funding can be raised for a new medical clinic.

Bob then questioned if internal funding should be used instead of borrowing outside to fund the new Town Hall, as very little interest is being received by the Town.

Ellen then replied to Bob advising that she had a recent meeting with the medical clinic fundraisers and noted they are more optimistic about their fundraising efforts, adding that members of the committee and the community are planning on constructing a new clinic on the site next to the Cidery and no other site.

Ellen then concurred with Michael about removing reference to the CCDG from the recommendation, but noted that the Town has to keep the matter moving because of the tight timelines.

Councillor Kennedy then noted perhaps the New Town Hall Steering Committee should inform Council when they are meeting so Council members may attend the meetings if they wish.

Councillor McGee then spoke, noting he does not support the use of the current Town Hall for a medical clinic because of the age of the building and renovating the building to where it should be for use by a medical clinic would cost a considerable amount. John then noted the new Town Hall is to be used as a meeting place for all on a great site, adding the current Town Hall should be removed to utilize the landscaped area.

In response to John, Bob noted Council are representatives for the taxpayers and they have to spend money wisely on their behalf, adding he looks at using the current Town Hall as a way of solving a problem on an interim basis.

Deputy Mayor McKinlay then questioned what prevents the construction manager from hiring friends and family at excessive prices to do the work, David replying that very early in the process a construction manager was hired to provide an estimate to construct a new Town Hall, noting the price was \$275 per square foot but in today's market this cost has been reduced to \$225 per square foot. David further noted this price per square foot will depend on when the contract goes out.

Paul then spoke, noting the Town has worked with this architect previously and they have their best people working on the new Town Hall project and they want this project to proceed.

Michael then proposed to divide the recommendation.

Moved by: Michael Martin Seconded by: Ellen Anderson

THAT the recommendation as written in Report PL.09.86 be amended, Carried.

Moved by: Michael Martin Seconded by: John McGee

WHEREAS Council endorsed the New Town Hall Facility which is supported under the Infrastructure Stimulus funding program;

AND WHEREAS the “Program” requires the monies to be spent by March 31, 2011 otherwise the funding may be cancelled.

NOW THEREFORE:

THAT Council adopt the New Capital Budget – Option B for the New Town Hall Facility as follows:

New Town Hall Facility - Option B (excludes sale of land)

New Town Hall Facility Funding	\$7,950,000
Grants	\$4,600,000
Capital Reserves	\$2,100,000
Development Charges	\$ 292,000
Debt Financing	\$ 958,000

AND THAT Council authorize Town Staff to proceed with a Request for Proposal for Construction Management Services – Town Hall with such services to be initially secured on the basis of a Canadian Standard Construction Management Contract (CCA-5);

AND THAT Council authorize the Mayor and Clerk to execute the CCA-5 with the selected construction firm upon the written advice of the Town’s solicitor, CAO and Director, Planning & Building Services;

AND THAT Council authorize construction of the New Town Hall to proceed upon the execution of the CCA-5 Contract;

AND THAT Council authorize the Mayor and Clerk to execute contracts related to the various components of construction of Town Hall (bulk excavation, footings/foundation, structural steel, etc.) upon the written advice of the Town’s solicitor and Director, Planning & Building Services;

AND THAT Council authorize Town Staff, in consultation with the Town’s Architect, to proceed with the retention of a LEED Consultant on the basis of an informal quotation process in order to expedite construction with it being noted that the cost for these services will be in excess of the informal quotation limitation found in the Town’s Purchasing Policy of \$10,000;

AND THAT Council authorize the Mayor and Clerk to execute a contract with the LEED Consultant upon the written advice of the Town’s solicitor and the Town Hall Project Steering Committee;

AND THAT Council authorize the Mayor and Clerk to execute a contract with Envision Tatham for landscape architectural services in order to expedite construction;

AND THAT Council authorize the Mayor and Clerk to execute a contract with Envision Tatham at a price to be negotiated upon the written advice of the Town's solicitor and the Town Hall Project Steering Committee.

In speaking to the recommendation, Councillor McKean questioned if the CCA-5 allows for bulk excavation footings, David replying yes.

Council then voted on the Resolution, Carried.

Moved by: Ellen Anderson Seconded by: John McGee

THAT Council authorize the use of a portion of the former Bayview Campground site for parking;

AND THAT Council authorize Town Staff to proceed with informal quotations for design and construction services (if required) of a proposed Parking Facility at the former Bayview Campground site;

AND THAT Council authorize the Mayor and Clerk to execute the contracts with the design and construction firms, if required, for the proposed Parking Facility.

In speaking to the Motion, Councillor Kennedy questioned if the Georgian Trail Board of Management should be consulted regarding the diversion of the Trail, David replying the Georgian Trail Board of Management will be consulted.

Council then voted on the Resolution, unanimously Carried.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT the Georgian Trail Board of Management be consulted on any changes in the Georgian Trail caused by the temporary parking facility, Carried.

Moved by: Ellen Anderson Seconded by: John McKean

AND THAT Council authorize the Mayor and Clerk to sign an Agreement between the Government of Canada, the Province of Ontario and The Blue Mountains for Infrastructure Stimulus funding for the New Town Hall Facility subject to approval by the Director of Finance and Information Services and the Town Solicitor, Carried.

C.2 Building Canada Fund- Communities Component – Intake Two - Plan 915 Servicing Reconstruction, FIS.09.41

Moved by: Ellen Anderson Seconded by: John McKean

THAT Council receive Staff Report FIS.09.41 “Building Canada Fund-Communities Component – Intake Two - Plan 915 Servicing Reconstruction”;

THAT Council endorsed the Plan 915 Servicing Reconstruction Project which is supported under the Building Canada Fund – Communities Component - Intake Two;

AND FURTHER THAT Council adopt the New Capital Budget – Option #2 for Plan 915 Reconstruction as outlined below:

Budgeted Expenditures

Road Reconstruction	\$	1,693,460
Street Lighting	\$	213,050
Water Main Replacement	\$	912,400
Wastewater Replacement	\$	1,321,520
Total	\$	<u>4,140,430</u>

Budgeted Revenues

Grants	\$	2,727,695
Reserves	\$	1,412,735
	\$	<u>4,140,430</u>

AND FURTHER THAT Council authorize the Mayor and Clerk to sign a Letter of Agreement between the Government of Canada, the Province of Ontario and The Blue Mountains for Building Canada funding for Plan 915 Servicing Reconstruction subject to approval by the Director of Finance and Information Services and the Town Solicitor.

In speaking to the Motion, Councillor Gamble questioned the significant increase in the cost of the road reconstruction portion, Director of Finance Rob Cummings replying that the overall budget increased significantly, Deputy Mayor McKinlay noting the cost of the stormwater engineering increased, which will address drainage.

Duncan then asked that the Infrastructure and Recreation Committee report to Council on the cost increases.

Council then voted on the Resolution, Carried.

C.3 Plan 915 Servicing Reconstruction – Contract TBM-2009-30 Award of Tender, EPW.09.62

Moved by: John McGee Seconded by: R.J. Gamble

THAT Council approve the award of Plan 915 Servicing Reconstruction – Carmicheal Crescent, Campbell Crescent, Kinsey Place and Plater Street (TBM-2009-30) to B & J Contracting in the amount of \$3,167,169, excluding GST, subject to the execution of a Contribution Agreement for the Building Canada Fund – Community Component grant outlined in Report EPW.09.62, “Plan 915 Servicing Reconstruction – Contract TBM-2009-30 Award of Tender” and;

THAT the Mayor and the Clerk be authorized to execute the Contract Documents for TBM-2009-30, unanimously Carried.

C.4 Beaver River Trail, DOR.09.038

Moved by: Ellen Anderson Seconded by: Cameron Kennedy

THAT Council endorse the Beaver River Trail Project which is supported under the Infrastructure Stimulus Fund;

THAT Council approve Town funding in the amount of \$165,000.00 as the Towns portion as proposed in the Capital project sheet contained therein;

THAT Council authorizes the reallocation of 2008 reserve contributions for Plan 915 Road reconstruction to the George Street and Mary Street Road Improvements in the amount of \$149,000.00;

AND FURTHER THAT Council authorize the Mayor and Clerk to sign an Agreement between the Government of Canada, the Province of Ontario and The Blue Mountains for Infrastructure Stimulus Funding for the Beaver River Trail subject to approval by the Director of Finance and Information Services and the Town Solicitor.

In speaking to the Motion, Director of Recreation Shawn Everitt noted paragraph three of the Recommendation is included because it is complimentary to the Trail.

Director of Finance Rob Cummings then spoke, noting that \$241,000 of Plan 915 funding was redirected to other projects.

Council then voted on the Resolution, unanimously Carried.

C.5 Investing In Ontario & Municipal Roads and Bridges Infrastructure Investment - Reallocation of Grant Money, FIS.09.42

Moved by: Ellen Anderson Seconded by: John McKean

THAT Council receive Staff Report FIS.09.42 “Investing in Ontario & Municipal Roads and Bridges Infrastructure Investment - Allocation of Grant Money”;

AND THAT Council adopt the allocation of grant monies under the Investing in Ontario program as follows:

Fire Truck Purchase	\$	100,000
BVCC Refrigeration/Dehumidifier Replacement	\$	60,000
Ravenna Hall Window Replacement	\$	8,000
Additional Tar & Chip Road Resurfacing	\$	150,000
Timmons Park Playground Equipment	\$	25,000
Library Roof Repairs	\$	20,000
Lakewood Drive Sewage Pump Station	\$	130,000

AND THAT Council adopt the allocation of grant monies under the Roads and Bridges Infrastructure Investment program as follows;

Georgian View Estates Sanitary Extension (Road Only)	\$	566,800
Lake Drive Road Reconstruction	\$	204,209

AND THAT Council adopt the New Capital Budget for the Ravenna Hall Window Replacement at \$8000.00;

AND FURTHER THAT Council approve the increase in the Single and Double Surface Treatment Budget from \$135,000 to \$285,000.

In speaking to the Motion, Councillor Gamble questioned if funding was set aside for the Beaver River Bridge, Director of Finance, Rob Cummings replying no, two years ago the Town received \$728,000 from the Province and further noted additional funding was received last week.

Council then voted on the Resolution, Carried.

E. By-laws

None

F. Notice of Meeting Dates

Council July 13, August 10, September 14, 28, October 14 (Wed), 26, November 9, 23, December 14, 2009

All Council meetings to be at the Library unless otherwise noted

Finance and Administration Committee, August 18, 2009
Infrastructure and Recreation Committee, July 14, 2009
Planning & Building Committee, September 9, 2009

G. Closed Session

Moved by: Ellen Anderson Seconded by: John McKean

THAT with regard to subsection 239 of the *Municipal Act, 2001*, this Council do now move into closed session in order to address matters pertaining to litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;

AND with regard to Ontario Municipal Board appeals regarding Short Term Accommodation (Interim Control By-laws, Official Plan Amendment and Zoning By-law Amendment) and Georgian Woodlands Phase 111, Carried.

Council moved into closed session at 10:20 p.m.
Council moved into public session at 11:07 p.m.

H. Adjournment

Moved by: Michael Martin Seconded by: Ellen Anderson

THAT the proceedings of the Council of The Corporation of the Town of The Blue Mountains on July 6, 2009 be hereby enacted as passed this 6th day of July, 2009, Carried.

Moved by: John McGee Seconded by: John McKean

THAT this Special Meeting of Council does now adjourn at 11:10 p.m. to meet again July 13, 2009, 7:00 p.m., L.E. Shore Library, or at the call of the Chair, unanimously Carried.

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Mayor Ellen Anderson

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Corrina Giles, Deputy Clerk