

Minutes - The Blue Mountains Council Meeting



MEETING DATE: October 15, 2008

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance, save Councillor Martin, absent due to a conflicting meeting commitment.
- Also in attendance was Chief Administrative Officer Paul Graham, Director of Engineering and Public Works Reg Russwurm, Director of Planning Peter Tollefsen, Manager of Development Planning Rob Armstrong, Director of Recreation Shawn Everitt, Director of Finance Rob Cummings, Deputy Treasurer Elizabeth Thompson, Manager of Purchasing Sherri Adams, Manager of Revenue Ruth Prince, Communications and Economic Development Coordinator Lisa Kidd, Fire Chief Ron Doherty and Deputy Chief Rob Collins.

- Council then paused for a moment of Personal Prayer or Reflection.

- Approval of Agenda:

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

THAT the Agenda of October 15, 2008 be approved as circulated, including any items added to the Agenda, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save Councillor McKean with regard to Agenda Item G.2, Accounts and cheques payable to his place of employment.
- Adoption of Consent Agenda

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

THAT the Consent Agenda of October 15, 2008 be adopted as circulated, save and except Agenda Item G.4, Recreation Committee Report, requested for separate review and discussion, Carried.

Councillor Martin then attended the meeting and had no pecuniary interest to declare.

- Previous Minutes

Moved by: John McKean Seconded by: Cameron Kennedy

THAT the Council minutes of September 22, 2008 and Planning Council minutes of October 6, 2008 be adopted as circulated, including any revisions to be made, Carried.

C. Correspondence as previously circulated

Deputy Mayor McKinlay then made reference to the Correspondence Item C.3 and questioned if the Ministry of Natural Resources sought the opinion of the Town regarding a Tourism Competitiveness Study, Mayor Anderson replying yes, Communications & Economic Development Coordinator Lisa Kidd advising a Staff Report on the Study was considered by the Finance and Administration Committee.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: John McGee

THAT this Council does hereby receive the Correspondence of October 15, 2008 and further does support the Staff Recommendation made with regard to the Correspondence items, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicated, Carried.

D. Motions and Staff Reports

D.1 Toll Free Line Usage, CEDC.08.18

Communications and Economic Development Coordinator Lisa Kidd then reviewed the Report, noting she would address any questions.

Mayor Anderson then questioned if feedback on the toll free line had been positive, Lisa replying yes, adding she believed it was viewed positively in the community.

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT Council receive Staff Report, CEDC.08.18, "Toll-free Line Usage", for information purposes, Carried.

D.2 2009 Fees and Charges for Certain Municipal Goods and Services, FS.08.49

In speaking to the recommendation, Deputy Mayor McKinlay questioned actual increases, Manager of Revenue Ruth Prince noting the greatest increases would be in the Recreation Department.

Duncan then questioned if there would be charges for use of the Tomahawk property, Ruth replying no.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: John McGee

THAT Council does hereby receive Staff Report FS.08.49, "2009 Fees for Certain Municipal Goods and Services";

AND THAT Council authorize Staff to move forward with a public meeting to review the proposed fees and charges on November 24, 2008.

In speaking to the Motion, Councillor Gamble noted suggested clarification of a Fire Services response charge being \$35 per hour per person responding.

Council then voted on the Resolution, Carried.

D.3 Application for Zoning By-law Amendment – Blue Mountain Resorts Orchard Lodge and parking expansion, Part Lots 15 and 16, Concessions 1 and 2, Town of The Blue Mountains, PL.08.108

Manager of Development Planning Rob Armstrong then reviewed the Report, noting the primary intent of the Application is to reduce setbacks abutting the County Road and an adjoining residential lot, as well as to allow an expansion of parking area with a reduction in setback from local roads.

Rob noted a previous request to increase height is no longer being sought.

Rob further noted the proposed development is part of the overall Concept Plan approved for the Orchard lands.

Rob then noted the larger exposure of the proposed lodge would be facing the ski areas rather than outward and as well the front of the lodge location would be bermed.

Rob noted traffic calming measures would be considered in anticipation of increased pedestrian traffic in the area as well as proposed pedestrian tunnel requested by Grey County.

Rob noted a Plater Street resident had noted concern with bus idling and Blue Mountain Resort is attempting to address this with driver accommodation in the Village.

Rob then spoke regarding traffic exiting from Claire Glen Road, one-way traffic flows being considered at the Site Plan approval stage, together with down-lighting in parking areas.

Rob noted Planning Staff are satisfied the Application meets Provincial Policy.

Mayor Anderson then questioned the estimated cost for a pedestrian tunnel, Director of Engineering and Public Works Reg Russwurm noting it would be difficult to estimate.

Rob then noted BMR had concerns with the land required for a pedestrian tunnel under the County Road.

Deputy Mayor McKinlay then questioned if designated drop-off areas had been considered, Rob noting it would be considered at the Site Plan approval stage.

Council then dealt with the following Resolution:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council does receive Planning Staff Report PL.08.108, "Application for Zoning By-law Amendment – Blue Mountain Resorts Orchard Lodge and parking expansion, Part Lots 15 and 16, Concessions 1 and 2, Town of The Blue Mountains";

AND THAT Planning Staff support the Application for Zoning By-law Amendment to for the following:

- i Modify the Ski Facility SF zone to recognize the road re-alignment and the location of the lodge and to rezone the proposed new parking lot area from the Development D zone to the Parking P zone.
- ii Establish a new minimum front and interior side yard of 7 metres for the lodge in the Ski Facility SF zone
- iii Permit parking 0 metres from a Public Street other than a County Road.
- iv Zone all lands within the holding –h symbol with the requirements for removal being Site Plan Approval and the requisite Development Agreement and clearance and approvals where applicable from the applicable Conservation Authorities, Carried.

D.4 Agricultural Advisory Committee, PL.08.113

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council receive Planning Staff Report No. PL.08.113, "Agricultural Advisory Committee – Resignation"; and

THAT Council indicate to Ryan Hayhurst that the Town received his resignation with regret, Carried.

D.5 Fire Protection Agreements with the Municipalities of Grey Highlands and Meaford, CAO.08.12

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council authorize the Chief Administrative Officer to give written notice to both the Municipality of Grey Highlands and the Municipality of Meaford of the Town's intention to terminate the Fire Protection Agreement for each respective Municipality effective April 30, 2009; and,

THAT Council direct the Fire Chief to work directly with these two municipalities to ensure the timely transition of services such that, effective the end of April 2009, The Blue Mountains will no longer provide First Response Fire Protection for the relevant areas of Grey Highlands and Meaford; and,

FURTHER that Council request that all the parties concerned continue to work together on the delivery of fire services in the region by maintaining the Mutual Aid Agreements which are currently in place and extending those Mutual Aid Agreements to include the areas of Meaford and Grey Highlands which were the subject of the 1994 Agreements, Carried.

B. Deputations/Presentations

7:30 pm – Fire Master Plan presentation, review and discussion – Chief Ron Doherty, Deputy Chief Rob Collins.

Chief Ron Doherty and Deputy Chief Rob Collins were then before Council to address any questions arising from the Fire Service Master Plan Executive Summary.

In speaking to the Summary, Councillor Kennedy questioned if additional full-time firefighters would be unionized as referred to in the Summary, Chief Doherty replying that would be up to the firefighters.

Cameron then noted Officers taking written examinations was recommended and questioned how the process of promotion was done now, Ron replying at present the process is an oral interview with desktop examination.

Mayor Anderson then questioned reference to desktop examination, Ron noted a candidate would be given a hypothetical situation with response considered at each stage of an ongoing scenario.

Councillor McKean then noted it appeared there would be two levels of services in the single family areas versus the more built-up areas in terms of response times.

Chief Doherty then noted the ten minute response for single residential units versus four minute response for a five story building would essentially be equitable in terms of locating a fire source.

Councillor Gamble then noted concern with several references to the Town facing liability in the Summary in terms of levels of service, adding he believed the level of fire response was determined by Council, other than mandated fire prevention efforts.

Bob further noted in 2018 – 2020 it was proposed to have three fire stations fully staffed which would not be affordable, versus a single centrally located station.

Ron first noted Council did determine fire level services, however, insurance companies could seek to recover payment for losses through litigation.

Mayor Anderson then questioned if such insurance company activity is new or has it always been present, Ron replying it is now more active.

Bob then questioned amounts of recent losses to insurance companies and noted Council did not receive such correspondence, Ron replying fire damage reports are forwarded to the Ontario Fire Marshall's Office and individual fire services are not advised of particular litigation situations.

CAO Paul Graham then reviewed By-Law 1998-7 which set fire service levels for rescue and suppression, with a new By-Law to be considered by Council and level of fire services to be re-confirmed.

Paul continued that insurance companies have taken a different stance where litigation did not happen before.

Regarding fire stations, Ron noted the Department would review fire station locations based on recruitment and retention efforts. Ron further noted programs such as residential sprinklers may also reduce the need for staffing and locations, adding a single, central firehall location would probably not suffice due to travel time.

Councillor Martin then noted the proposed Summary Option 1 is really a stepping stone to Option 2 if volunteer recruitment and retention is not successful, Ron noting it would be up to Council to determine levels of service and staffing.

Michael then noted By-Law 1998-7 addressed rescue and suppression, noting that no longer appeared to be the level of service that is now offered without an increased staffing level.

Councillor McGee then noted it appeared that rescue was no longer offered but that basic levels of fire service would not be affected, with a previous Staff Report having addressed current levels of service.

Chief Ron Doherty then noted that Emergency Response By-Laws were very similar in Ontario with suppression efforts done to the best of the Department's ability. Ron noted luck was a factor as not every response had an adequate firefighter turnout but serious situations did, and this situation resulted in the Standard Operating Guideline previously presented, the officer on the scene still able to make decisions regarding response.

Councillor McGee then questioned search, rescue and internal suppression, Ron noting search and rescue are one and the same, internal suppression is a separate level of service.

Deputy Mayor McKinlay then questioned if there is a complete Fire Service Master Plan available for review, Deputy Chief Collins noting the full Plan had been earlier distributed together with a Peer Review document.

Town CAO Paul Graham then clarified the Executive Summary was the product of previous documents received and reviewed by a Town Steering Committee, being Chief Doherty, Deputy Chief Collins, Director Rob Cummings and the CAO and is seen as a reasonable document to release to the general public.

Duncan then noted reference to a four minute response time and questioned how that would be applied other than in a small area around each existing fire station.

Ron then noted excluding the Castle Glen area and Osler Bluff areas, the four minute response time area almost overlapped for the two stations.

Duncan then questioned voluntary sprinkler installation, Ron noting such a program would not include single residential dwellings.

Duncan then noted sprinklers may permit, for example, a twelve minute response time, adding perhaps Council should consider options for the community, such as 10 minute response times with sprinklers recommended.

Deputy Chief Collins then clarified the four minute response was proposed for the urbanized areas, Duncan questioning if initial responders could proceed with search and rescue, Rob noting first responders could initiate a water supply and be ready to begin search and rescue while waiting for additional firefighters for backup.

CAO Paul Graham then noted the four minute early response was intended first for the new style construction in the Village area and initial full-time firefighters were proposed for the Craighleith Station.

Duncan then noted reference to water supply and differing standards for hydrants and infrastructure and questioned how large a concern this is, Ron replying new development is adequately sized to meet Fire Underwriter Survey standards, Director of Engineering and Public Works Reg Russwurm noting not all of the water distribution systems meet FUS standards.

CAO Paul Graham noted new and looping watermains can be oversized to address substandard components for firefighting and this would be considered in creation of a hydraulic model of the system.

Duncan then questioned if any recent development does not meet the standards, Paul noting firefighting consideration are applied in design and construction, noting 6 inch mains are not ideal for firefighting.

Mayor Anderson then questioned mandatory sprinklering, CAO Paul Graham noting the Ontario Building Code does not require single residential units to have sprinklers and the municipality does not have the authority to exceed the OBC.

Duncan then questioned if short term accommodation uses are considered single residential dwelling units, noting hotels have strict fire controls mandated for the safety of the public.

Councillor Gamble then noted concern with recommendations referring to urgent needs for higher levels of service within the Town, Chief Doherty noting Council would determine the level of service but firefighter recruitment remains a concern.

CAO Paul Graham then noted recent economic activity may impact some aspects of the Report.

Deputy Mayor McKinlay then noted if Council is to determine levels of service he would request additional information, as well as budget information on various levels of service, perhaps considered in a workshop scenario.

Ron then noted the unknown is what the volunteer firefighter staffing would be at any time, noting service levels involve either entering a building or not entering.

Deputy Chief Collins then clarified varying levels of service depends almost solely on manpower levels rather than equipment.

CAO Paul Graham then noted the Report Summary is based on the community wishing to retain the levels of service in the 1998 By-Law and it is hoped that if the Town is successful in recruiting and retaining volunteer firefighters the level can be met with a minimum of full time firefighters.

Duncan then noted bringing the Master Plan to this point was a challenge, questioning if the Town needed to make other commitments to increase recruitment efforts.

CAO Paul Graham then noted Manager of Human Resources and Communications Tracey McKenna and Economic Development Coordinator Lisa Kidd had been hired to assist fire staff in volunteer recruitment and retention, and as well, it is recommended that volunteer firefighters take a larger role in fire prevention activity.

Paul then noted the addition of some full-time positions may spur volunteer recruitment and we also need to do is develop a more sophisticated compensation program.

Duncan then noted there may be steps that could be taken to encourage employers to accommodate employees who are volunteer firefighters.

Councillor Kennedy then again noted the Summary refers to a union contract with full-time firefighters, Chief Doherty noting there is no foregone conclusion there would ever be a union, Rob clarifying the statement came from the original Master Plan and reference to a composite fire department, being a blend of volunteer and full-time firefighters and if a union formed among full-time employees, the presence of volunteers would have to be accommodated if there was a contract, adding the reference to union could be removed.

Councillor Martin then stated he felt the main issue was determination of level of service and noted if emergency response litigation is increasing, Council should determine our interim level of service and make it public.

CAO Paul Graham then noted an Automatic Aid Agreement has been finalized with the Town of Collingwood which will aid in delivery of fire services, at least in the Craighleith area.

Councillor Gamble then questioned the status of the original Master Plan, CAO Paul Graham noting the original draft had been revised to represent the current Summary.

Bob then questioned if compensation for volunteer firefighters is recommended to be equal to a full-time firefighter in 2008, Ron noting compensation would be an issue for Council.

Duncan then questioned if fire prevention efforts reduced suppression calls, Ron replying absolutely yes.

Duncan then questioned if additional fire prevention officers and efforts should be an increasing trend, Ron replying yes.

CAO Paul Graham then referred to call history, noting even with greatly increased growth in the recent years, calls have increased only slightly.

Paul then noted it is being recommended that some Fire Staff be hired in 2009.

Duncan then noted it has been a trying process for all involved, beginning with the original Fire Service Master Plan document and he wished to commend the Steering Committee for reviewing all the options and producing a document that Council feels more comfortable with and can present to the public.

Mayor Anderson then noted she believed the Summary was an excellent document, adding the document is a strategic plan that could benefit current and future Councils by presenting options and alternatives.

Ellen then questioned the intent of Staff with regard to the document at this meeting, CAO Paul Graham recommending Council endorse the document for release to the public with some minor revisions as discussed.

Councillor Kennedy then questioned if the document was within the 2008 Budget as to recommendations made for 2008, Chief Doherty noting the funds are in reserve in the 2008 budget.

Council then dealt with the following Resolution:

Moved by: D.R. McKinlay Seconded by: Michael Martin

THAT the Fire Service Master Plan Executive Summary as amended this date move forward in the public process.

In speaking to the Motion, Deputy Mayor McKinlay noted the Summary is a stepping stone in the decision making process and the final version may look entirely different in five years following public participation and the public decision making process.

Councillor Gamble then noted concern if a minority of the public wanted a much-upgraded level of service, further noting it being important how Council interprets public input.

Mayor Anderson then noted it is important the public know there is a price tag associated with certain decisions.

Duncan then questioned if there is opportunity to access the public in different manners, Ellen noting there will be an aggressive outreach to the public to provide information and access, CAO Paul Graham noting representation of community groups and neighbourhoods could be invited to comment in addition to public meetings.

Council then voted on the Resolution, Carried.

(Revised Master Fire Services Plan Executive Summary dated October 20, 2008 is attached.)

E. New and Unfinished Business

E.1 Grey County Council Update

Deputy Mayor McKinlay then, spoke noting the Grier Creek Bridge formal opening is scheduled for December 12, 2008.

Duncan then reported on the first meeting of the Warden's Governance Committee, noting it will be an ongoing process.

Mayor Anderson then noted work has begun on the 2009 County Budget.

E.2 AMO Board of Directors Update

None

E.3 Notice of Motion

None

E.4 Additions to Agenda

None

F. By-laws

F.1 Water Regulation By-law Amendment

Council then dealt with the following Resolutions:

Moved by: John McGee Seconded by: John McKean

THAT By-law No. 2008 - 90, being a By-law to amend By-law No. 2008-02, "Water Regulation By-law", increasing the minimum charge for water users that have failed to have their water meter installed and inspected, be hereby enacted this fifteenth day of October, 2008, Carried.

F.2 Sewage Regulation By-law Amendment

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT By-law No. 2008 - 91, being a By-law to amend By-law No. 1985-13, "Sewage Regulation By-law", amending the connection deadline to 11 months from 9 months, be hereby enacted this fifteenth day of October, 2008, Carried.

F.3 Appointment of Municipal Law Enforcement Officers

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT By-law No. 2008 - 92, being a By-law to appoint Municipal Law Enforcement Officers for enforcement of specific Town By-laws on privately owned lands, be hereby enacted this fifteenth day of October, 2008, Carried.

F.4 Swimming Pool By-law Amendment

Moved by: John McKean Seconded by: John McGee

THAT By-law No. 2008 - 93, being a By-law to amend Swimming Pool By-law No. 2002-8 by providing additional exemptions from fencing requirements, be hereby enacted this fifteenth day of October, 2008, Carried.

F.5 Adoption of Purchasing Policy

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2008 - 94, being a By-law to adopt Town Policy POL.COR.07.05, "Purchasing of Goods and Services Policy", be hereby enacted this fifteenth day of October, 2008, Carried.

F.6 2008 Thornbury Business Improvement Area Levy

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

THAT By-law No. 2008 - 95, being a By-law to levy a special charge upon rateable property in the Thornbury Business Improvement Area for 2008, be hereby enacted this fifteenth day of October, 2008, Carried.

F.7 Orchard Lodge at Blue

Moved by: Cameron Kennedy Seconded by: John McGee

THAT By-law No. 2008 - 96, being a By-law to rezone part Lots 15 and 16, Concessions 1 and 2, Blue Mountain Resorts, so as to permit a base lodge associated with a ski resort together with reductions of certain setbacks, expansion of parking and application of a Holding –h symbol on the lands, be hereby enacted this fifteenth day of October, 2008, Carried.

G. Consent Agenda

Accounts

1. Accounts
2. Invoices separated for pecuniary interest (Sadler's Haulage)

Reports List (Adopt)

3. Engineering and Public Works Committee, September 23, 2008
4. Recreation Committee, September 25, 2008

Councillor Gamble then spoke to the Report, noting the Committee recommended standardization for dock replacement with the product that was utilized in 2008, being a proven product, the 2009 quote actually being cheaper than 2008.

Council then dealt with the following Resolution:

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

THAT Council does hereby receive and adopt the Recreation Committee Report of September 25, 2008, including the Recommendations contained therein, Carried.

5. Sign By-law Review Committee Report, October 7, 2008

Minutes List (Receive)

6. GSCA Source Water Protection Committee, July 25, 2008
7. Police Services Board, September 17, 2008

H. Next Meeting Date(s)

Council October, 27, November 10, 24, December 8, 22, 2008, January 12, 26, 2009

Planning Council November 3, December 1, 2008, January 19, February 2, 2009

All Council meetings to be at the Library unless otherwise noted

2009 Budget meetings – Special Finance and Administration Committee of the Whole meetings – November 26, 27, December 2, 3, 9, 2008
Beaver Valley Community Centre, 6:30 pm

Engineering and Public Works Committee, October 28, 2008
Finance and Administration Committee, October 28, 2008
Recreation Committee, October 23, 2008

I. Confirmation By-law and Adjournment

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

THAT By-law No. 2008 - 97, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on October 15, 2008, be hereby enacted as passed this fifteenth day of October, 2008, Carried.

Councillor McKean did not take part in related discussion or voting having earlier declared a pecuniary interest.

Moved by: Cameron Kennedy Seconded by: John McGee

THAT this Council does now adjourn at 9:08 p.m. to meet again October 27, 2008, 7:00 pm, L.E. Shore Library, or at the call of the Chair, Carried.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk