

MINUTES: INFRASTRUCTURE & RECREATION COMMITTEE



MEETING DATE: TUESDAY, May 10th 2011

MEETING TIME: 7:00 pm

LOCATION: Ravenna Hall

PREPARED BY: Jenny Ferraro, Administrative Assistant

A. Call to Order

Present: Duncan McKinlay, John McKean, Bob Gamble, Joe Halos, Gail Ardiel, Reg Russwurm, John Caswell, Jim McCannell, Jeffery Fletcher, Robert Cummings, David Finbow, John Metras, Jenny Ferraro

Regrets: Shawn Everitt

A.1 Approval of Agenda

Reg Russwurm noted an addition to the Agenda. Item E.1 under New and Unfinished Business: Update on the Sale of the Diesel Generator.

Moved by: Bob Gamble Seconded by: John McKean

THAT the Agenda of the May 10th 2011, Infrastructure & Recreation Committee Meeting be adopted as circulated
"CARRIED"

A.2 Declaration of Pecuniary Interest

Councilor John McKean declared Pecuniary Interest to Agenda Item D.2 Contract Waste Collection Update and Agenda Item D.3 Section 3 – Beaver River Bridge.

A.3 Previous Minutes – April 12th 2011

Councilor Joe Halos requested that the records show that he was in attendance for the meeting of April 12th 2011 as his name was not on the attendance list.

Moved by: Bob Gamble Seconded by: Joe Halos

THAT the open and closed session minutes of the April 12th 2011 Infrastructure & Recreation Committee be adopted as circulated and revised.
"CARRIED"

B. Deputations/Presentations

B.1 Georgian Woodlands Phase III

Re: G.H. Fleming & Associates and Condo Developments Limited

Committee Chair Duncan McKinlay welcomed David Slade of D.C. Slade Consultants Inc. to the meeting.

David Slade indicated that he has been working with George Fleming and that for many years Mr. Fleming has expressed concerns with the Subdivision Agreement. David Slade indicated to Committee he has concerns with the Recommendation in Report EPW.11.030 which is being presented to Committee this evening and the process moving forward.

Committee Chair Duncan McKinlay indicated that Reg Russwurm was beginning the process by presenting Committee with a Report. Duncan indicated that the Recommendations presented to Committee, if passed, will have to be adopted by Council. Duncan also noted that Reg will be gathering comments from the Development Community and other stakeholders for Council to review. Council will then work to come to a resolution.

David Slade asked Duncan if the Recommendations presented in the Report will be going to Council as he has concerns with Part 1 and 2 of the Recommendation. Duncan clarified that Committee will address the recommendations made in the Report and Staff will discuss the process moving forward. Duncan indicated that he would like to have good discussion around the issues and make a reasonable decision.

Duncan reminded David that the Report is a draft for discussion and Committee has no power to pass the Recommendations; they are passed by Council. David Slade indicated that members of the public cannot speak with Council unless through deputation. He introduced members of the Development Community in attendance to Committee.

David Slade indicated to Committee that 5 years ago the Subdivision Agreement Template was modified and since then not many Subdivision Agreements have been signed. David indicated that because we are in a Resort community, development happens in different ways and there is a concern that municipal services will not be assumed until the development is 75% built upon.

David used Mr. Fleming's property and Alta Subdivision as examples of Developments are taking a long time to fill out to 75%. David indicated that Mr. Fleming has 60 units and regardless if they are never built upon the town gets \$3000 per vacant lot per year. Director of Finance, Robert Cummings clarified that the municipality gets 33% of that.

Noting an issue with Recommendation 2 of the Report regarding the grading of the lots, David indicated that he would like it to read AND rather than OR because it appears the Developers must do both.

David introduced Chris Crozier to Committee. Chris indicated to Committee his concern with the second Recommendation as well. Chris passed out photos of lots with many trees on them compared to lots of newer homes with no trees. Chris does not want lots to be clear cut as it sometimes destroys the characteristics of a community.

Chris indicated that the lot grading deposits that the Town takes are very low. Chris indicated that the problem is not after the house is built or the lot is serviced but rather when a landscaper is hired and they don't have a vision of what the drainage is doing.

Duncan indicated that it will take some discussion to get comfortable with each perspective. Duncan indicated that he does not work with the agreements each day and he needs to hear discussion from all sides of the spectrum.

David Slade noted to Committee that George Fleming sent his regrets that he could not be in attendance for this meeting.

Councilor Halos thanked the development community for attending the meeting and noted that they have raised many good points. Councilor Halos indicated that he believes there is an issue with the wording of the recommendations in the Report.

Duncan thanked David Slade and Chris Crozier and members of the gallery for their comments.

C. Staff Reports as circulated

C.1 EPW.11.030 Consideration of Modifications to Development Agreement Templates

Reg Russwurm

Reg Russwurm addressed the concerns regarding the wording of the Recommendation noting to Committee that it was his intention to word the Recommendation the way it has been presented. Reg indicated that once approved by Committee he will modify the template and then pass along the draft copy to the Development Community to get comments. Reg will then modify the template again and come back to Committee for approval and feedback.

Reg indicated that he worked with Director of Building and Planning, David Finbow as well as the Town's Legal Solicitor, John Metras to prepare this Report. Reg asked if Committee would like to review each option presented in the Report individually. Duncan indicated that Committee does not have enough background information to choose one option over another.

Duncan would like to find a safe position for the Town and would like to revisit this Report and all of its options once he has received and reviewed the feedback.

Reg suggested sending the Report to any stakeholders and requesting feedback on it. Duncan suggested having everyone in the same room to discuss the Report in order to get critiques from both sides, from the town, from tax payers, and the business end.

Councilor Ardiel Gail asked if there was a time frame for this to be completed.

Reg indicated that there were many Developers who would like to move forward. David Finbow noted that David Slade has presented a deputation to the previous Council and that there are many Developers that are still waiting. David Finbow believes that Staff needs to move on this issue as there is pressure to address current workloads and those of the past who are still waiting.

David Finbow indicated that Part 1 and 2 of the recommendation were critical and items to address. David Slade noted that using the word “or” in the second motion would resolve the second issue.

Committee Chair Duncan McKinlay noted that he would like to have everyone in the same room to discuss the Report and provide feedback from which Staff will bring back to Committee as information for further discussion.

Duncan noted that the Committee has had good information presented to them from both Staff and members of the Development Community. Councilor McKean suggested that Staff change the wording within the second recommendation.

David Slade requested that Committee be present during these meetings. Duncan McKinlay indicated that upon request he is available after 5:30 pm. Reg noted to Committee, Staff and the members of the Gallery that the revised recommendations from this Report will be presented to Council on May 25th.

Moved by: Bob Gamble Seconded by: John McKean

THAT Council receive Staff Report EPW.11.030 entitled “Consideration of Modifications to Development Agreement Templates”; and,

THAT Council direct staff to discuss items 1 to 8 further with the developer community and stakeholders and provide council with comments.

- 1. THAT Council endorse maintaining the status quo with respect to the criteria for the assumption of municipal works, being 75% of the buildings permitted to be constructed on lots within the Plan by the Town’s zoning by-law have been substantially completed; and,*

2. *THAT Council endorse maintaining the current rough grading tolerance, being 300mm for lot grades and 50mm for drainage swales, within the Subdivision Agreement, or that the development proponent be given the option to submit a rough grading plan to demonstrate that building construction upon any one lot will not impede drainage on another; and,*
3. *THAT Council increase the works security held for developments from 100% to 125% of outstanding work plus 10% of completed works with the understanding that outstanding works includes known deficiencies and that the cost of work includes an allowance of 6% for engineering services; and,*
4. *THAT Council require, prior to final approval of a Plan of Subdivision for registration, agreements be entered into between the Developer and the utility providers for the installation of the utility services for the plan, and the agreement with the electrical utility (Hydro One, Collus) for the installation of the electrical distribution system shall be fully secured, and that the electrical distribution system be included in the definition of Basic Services; and,*
5. *THAT Council set the works security for Pre-Servicing Agreements at the greater of 25% of the works being constructed under the Pre-Servicing Agreement or \$25,000; and,*
6. *THAT Council require a deposit be established with the Town in an amount equal to 5 years of street lighting costs from which the Town will pay related electrical costs; and,*
7. *THAT Council require the security allowance held for erosion and sediment control not be reduced to below 100% of the actual cost of original installation of the erosion and sediment controls until the area of concern is fully vegetated; and,*
8. *THAT Council endorse maintaining the status quo with respect to the provision of snow removal on roads and sidewalks, being that the Developer shall be responsible for snow removal in subdivisions until assumption.*

“CARRIED”

David Finbow and John Metras left the meeting.

C.2 FIS.11.21 Endorsing the Initiative for the Province to Dedicate HST Revenues to Transportation Infrastructure

Finance Staff

Rob Cummings indicated that this Report was written in response to a recommendation made by Committee based on a letter received from CAA South Central Ontario and the Ontario Good Roads Association on March 15th 2011.

Councilor Gamble commented that there is an unrealistic anticipation of how much the provincial government is getting from HST as most of it is rebated and the provincial level might retain 30% of what they gain. Rob Cummings indicated that Councilor Gamble was correct and the whole notion of HST was to compensate and off-set income tax.

Moved by: Joe Halos

Seconded by: John McKean

THAT Council receive Staff Report FIS.11.21 “Endorsing the Initiative for the Province to Dedicate HST Revenues to Transportation Infrastructure” and further endorse the following resolution circulated by Ontario Good Roads Association (OGRA) as partnered with Canadian Automobile Association (CAA);

Whereas the introduction of the Harmonized Sales Tax (HST) on July 1st, 2010, and its application to gasoline and diesel sales will result in new revenue for the Government of Ontario; and

Whereas based on 2010 average price levels of gasoline and diesel and 2009 average consumption levels in Ontario, the Government of Ontario’s projected new revenue will be approximately \$1.53 billion annually; and

Whereas the Provincial-Municipal Fiscal and Service Delivery Review identified a transportation infrastructure investment gap between the Government of Ontario and Ontario’s municipalities of approximately \$3.8 billion; and

Whereas a lack of sufficient funding for essential transportation infrastructure construction, maintenance and rehabilitation has created a situation where many of Ontario’s municipalities do not have the financial capacity to construct new transportation infrastructure and conduct the maintenance and rehabilitation needed to sustain existing transportation infrastructure; and

Therefore be it resolved that the Council of the Town of The Blue Mountains requests that the Government of Ontario consider directing a portion of the revenue derived from HST charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario’s municipalities to make the critical investments needed to be effective stewards of transportation infrastructure; and

Further that a copy of this resolution be forwarded to Premier Dalton McGuinty, Hon. Dwight Duncan, Minister of Finance, Hon. Kathleen Wynne, Minister of Transportation, Hon. Bob Chiarelli, Minister of Infrastructure, the Ontario Good Roads Association and to CAA South Central Ontario.

“CARRIED”

Director of Finance, Robert Cummings left the meeting.

C.3 EPW.11.034 Support of External Event Days by Engineering and Public Works **Adam McMullin**

Councilor Gamble asked what is celebrated on Earth Day. Jeffery Fletcher explained that there is nothing particular that happens on Earth Day besides celebrating the Earth, noting that this past Earth Day he took a local school on a tour of the Landfill.

Jeff noted that he wanted to show Committee and Council a list of events that Staff will focus on and budget for in the future.

Moved by: Bob Gamble Seconded by: Gail Ardiel

THAT Council receives Report EPW.11.034 entitled "Support of External Event Days by Engineering and Public Works" and

THAT Council support and endorse Engineering and Public Works participation in the following external events, for the remainder of 2011 and 2012:

- *Canada Water Week / World Water Day*
- *Drinking Water Week*
- *Earth Day*
- *Pitch-in-Week*
- *Waste Reduction Week*

"CARRIED"

C.4 EPW.11.039 Beaver Valley Community Centre Light Retrofit Project **Adam McMullin**

Councilor McKinlay asked Staff how these lights differ from the current lights. Jeff indicated that the wattage, the efficiency and the ability to turn lights on in certain areas are the key differences. In addition there is the capability to program the lights based on events and there will be long term cost savings with this flexibility.

Councilor Halos asked if Staff had budgeted for this project. Jeff explained that this project was put together because the solar panel application had been denied as there was no more capacity for micro-fit projects in the area. Jeff indicated further that he will present Committee with a report in the future outlining the adjustments from the gas tax.

Councilor Halos asked Jeff if there are other incentives besides the rebate if we waited a few years. Jeff indicated that he was not aware of any.

Councilor Ardiel noted that she does not believe this is a high priority and suggested that Staff wait to see if there is more funding to obtain.

Jeff indicated to Committee that there is a time limit to use the money on energy savings and if he does not spend the money right now it will be lost.

Councilor Gamble indicated that he believes there are other places the gas-tax money can be spent since the lights are operating very well despite the fact that they cannot partially turn on.

Councilor Halos noted that he feels that when there is a time limit to spend money Staff makes choices they might not necessarily want to make. Councilor McKinlay noted his belief that these situations give Staff the option to make decisions they might not have been able to make.

Councilor Gamble noted that the Sewage Treatment Plant is the biggest consumer of Hydro in the Municipality and he would like to put that money to use there.

Councilor McKean noted that he is in favour of this report as he believes if lights can be turned off in areas that are not used that there will be substantial savings.

Jeff indicated to Committee that this was not a project that they just randomly chose to spend money on. Jeff noted that he had been working with Aaron McMullen and he has wanted to work on for a long period of time. Jeff further indicated that the arena is one of the top power users in the Municipality.

Committee requested that Jeff follow up with a Report on Gas Tax and to ensure that Staff is looking elsewhere for projects.

Moved by: Joe Halos Seconded by: John McKean

THAT Council approve the creation of a capital budget for the Beaver Valley Community Centre Light Retrofit Project in the amount of \$65,000, as outlined in Report EPW.11.039 entitled "Beaver Valley Community Centre Light Retrofit Project".

THAT Council utilize gas tax to fund the proposed "Beaver Valley Community Centre Light Retrofit Project".
"CARRIED"

C.5 EPW.11.041 Disposal of 1979 Champion Grader and 1990 Ford Tractor

Jim McCannell

Councilor McKinlay asked Jim if the Grader was in working condition. Jim indicated that it does work but maintenance work is needed if there was any intention to run it next winter.

Councilor Gamble advised Staff to put a reserve price on the sale. Councilor McKinlay asked Jim how much it could potentially be worth. Jim noted that it could be worth \$10,000.

Councilor Gamble motioned that Staff put a reserve of \$7500 on the grader and \$2500 on the Tractor.

Moved by: Bob Gamble Seconded by: Gail Ardiel

THAT Council declare the 1979 Champion Grader and 1990 Ford Tractor as surplus to the needs of the Roads and Drainage Division and authorize Staff to initiate the disposal of both vehicles in accordance with Town Policy with a reserve of \$7500 for the Grader and \$2500 for the Tractor, as detailed in Staff Report EPW.11.041, entitled "Disposal of 1979 Champion Grader and 1990 Ford Tractor".

"CARRIED"

C.6 EPW.11.045 Contract Extension of TBM-2009-33, Purchase of 5/8" Crushed Gravel

Jim McCannell

Councilor McKean asked Staff if there was any intention to get the gravel out earlier in the year. Jim indicated that he is aiming for the end of August or early September and that he would like to get the tendering process done early to ensure it is done in the spring.

Councilor McKean asked Staff if there was the option to get the gravel crushed in the fall and then brought up in the spring. Jim noted that there will be a challenge in the tendering process as there will not be any budget approved at that time. Councilor McKean noted that there would be a window of opportunity based on the load restrictions as well.

Committee suggested to Staff that since it is the last year working with this contract, to look at alternatives. Committee would like Jim to come back in two meetings with a proposal regarding this.

Moved by: Bob Gamble Seconded by: John McKean

THAT Council extend Contract TBM-2009-33 to Dalton R. Lowe and Sons Construction Ltd, for the supply, crushing, loading, hauling, and applying of approximately 17,500 tonnes of Granular "A" – 5/8" crushed gravel, at a cost \$7.93 per tonne to an upset limit of \$140,000 excluding HST as outlined in Report EPW.11.045 entitled "Contract Extension of TBM-2009-33, Purchase of 5/8" Crushed Gravel".

"CARRIED"

D. Information Reports/Correspondence

D.1 EPW.11.036 Water and Wastewater Capacity Assessment – 2010 Year End Report

John Caswell

John indicated to Committee that the Report was prepared by the collaboration between Liz Saunders from the Water Department and Shawn Postma from the Planning Department. Duncan thanked John and his Staff for their hard work.

John noted to Committee that he has spoke with Collingwood for consideration regarding the Town of The Blue Mountains being a commercial customer rather than take-or-pay user. He has not had a response as of this date.

Moved by: Bob Gamble Seconded by: John McKean

THAT Council approve forwarding the 2010 Year End Report to the Grey County Planning Department as outlined in Report EPW.11.036 “Water and Wastewater Capacity Assessment – 2010 Year End Report.”

“CARRIED”

D.2 EPW.11.037 Contract Waste Collection Update

Jeffery Fletcher

Councilor John McKean declared pecuniary interest to Agenda Item D.2 and left the room during discussion of this Report.

Jeff indicated that during the budget process there was a desire to update Committee and Council on the Collection Contract.

Councilor McKinlay suggested that this Report be part of Jeff’s Service Review next month, suggesting further that Staff provide other options regarding the Waste Collection Contract.

Moved by: Gail Ardiel Seconded by: Joe Halos

THAT Council receive Staff Report EPW.11.037, “Contract Waste Collection Update” for information purposes.

“CARRIED”

D.3 EPW.11.040 Construction/Development Status Report

Mike Campbell

Councilor John McKean declared pecuniary interest to Agenda Item D.3 Part 3 – The Beaver River Bridge and Committee Chair McKinlay motioned to discuss Item 3 of the Report first as Councilor McKean was out of the room.

Reg indicated to Committee that the scaffolding on the Bridge has come out and the deficiency with the railing will be resolved in the next few months as they are waiting on anchors and the repair of deficiencies.

Councilor Gamble asked if there is a method of protecting the steel placements for the railing and Reg indicated that there will be a plate installed to make it level with the concrete.

Committee Chair McKinlay invited Councilor McKean back into the meeting room to discuss the rest of the Report save and except Item 3.

Councilor Ardiel asked if the fencing was up at the Shore Acres Lift Station and John Caswell indicated that it has not been completed yet.

Reg indicated that the widening of Peaks Road and the installation of the sanitary sewer on the Town's behalf is ready to be tendered by the Developer and will go through a public process; noting that Construction Coordinator Mike Campbell will ensure that the tendering process will be a transparent process.

Committee asked Staff to have a map attached to the Construction and Development Status Report for next month indicating projects noted in the Report.

Moved by: Joe Halos

Seconded by: John McKean

THAT Council receive Staff Report EPW.11.040 entitled "Construction & Development Status Report" for their information.

"CARRIED"

E. New and Unfinished Business

E.1 Update on the Sale Status of the Diesel Generator

Reg briefed Committee on the status of the diesel generator that was put up for sale. John Caswell indicated that 5 people came to look at it and one bid was placed on it. The Generator sold for \$8000.00

E.2 Pole Installation on Grey Road 2 South of Ravenna

Committee Chair Duncan McKinlay indicated that there has been much discussion regarding the Hydro work which is taking place from Ravenna down into Dufferin County. Duncan indicated that Hydro One wants to have a meeting at Ravenna Hall regarding the work being done. Councilor McKean noted that having public consultation is a good idea.

It was moved by Committee that they endorse the notion to seek public consultation for the hydro line installation from Ravenna down into Dufferin County

F. Next Meeting Date

Tuesday, May 24th 2011 - 5:00pm Parks and Recreation Tour
Tuesday, June 14th 2011 – 7:00pm Meeting

G. Adjournment

Moved by: Bob Gamble Seconded by: John McKean

THAT the Infrastructure & Recreation Committee Meeting of May 10th 2011 is adjourned at 9:43 p.m.

“CARRIED”