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Minutes: Infrastructure & Recreation Committee Meeting



MEETING DATE: Tuesday, December 11th 2012
MEETING TIME: 3:00pm
LOCATION: Town Hall, Council Chambers
PREPARED BY: Jenny-Maria Ferraro, Administrative Assistant

A. Call to Order

Present:

Deputy Mayor Duncan McKinlay, Councillor Joe Halos, Councillor John McKean, Councillor Gail Ardiel, Councillor Bob Gamble, Director of Engineering and Public Works Reg Russwurm, Manager of Roads and Drainage Jim McCannell, Manager of Water and Wastewater John Caswell, Director of Recreation Shawn Everitt, Compliance and Efficiency Coordinator Meg Boyd, Water Supervisor Darren Shilvock, Roads and Drainage Foreman Brian Kane, and Administrative Assistant Jenny-Maria Ferraro

- Approval of Agenda

Councillor McKean noted that Cindy Gretton of E&H Property Management has requested to speak to Committee and Council regarding Agenda Item E.1. Committee concurred that Cindy address Committee and Council when agenda item E.1 arises.

Moved by: Bob Gamble

Seconded by: Duncan McKinlay

THAT the Agenda of Tuesday, December 11th 2012, Infrastructure & Recreation Committee Meeting be approved as circulated, including any items added to the Agenda, **CARRIED.**

- Declaration of Pecuniary Interest

Committee Chair Councillor John McKean declared Pecuniary Interest to Agenda Item D.4 EPW.12.095 Capital and Development Status Report and requested that Councillor Halos Chair the meeting for the duration of Report discussion.

- Previous Minutes

Moved by: Duncan McKinlay

Seconded by: Bob Gamble

THAT the minutes of the Tuesday, November 13th 2012, Infrastructure & Recreation Committee be adopted as circulated, **CARRIED.**

B. Deputations / Presentations

B.1 Engineering and Public Works – 2012 Slide Show Presentation

Director of Engineering and Public Works Reg Russwurm presented Committee with a slideshow presentation of various photos of works the Department has done throughout the year.

Reg also showed a video of the Slabtown Bridge Reconstruction Project. Reg thanked the property owners Peter Hartman and Jim Wilkinson for allowing the Town to access their properties during the construction. Councillor Halos noted that the residents have put up Christmas decorations on the bridge.

Committee Chair Councillor McKean asked Committee if they would like Staff to present photos and videos of various projects throughout the year annually. Committee concurred that it was a great idea.

Reg thanked Staff for providing the photos and for compiling the photos, making the presentation and video.

Deputy Mayor Duncan McKinlay requested that Staff take photos of maintenance work.

Moved by: Duncan McKinlay

Seconded by: Joe Halos

THAT the Engineering and Public Works – 2012 Slide Show Presentation be moved into the minutes for Councils Consideration, **CARRIED.**

B.2 Jane Moysey & Vic Vandergust

Re: 170 Grand Cypress

Jane Moysey property owners of 170 Grand Cypress, addressed Committee and Council indicating that Mr. Vandergust was not attending the meeting.

Mrs. Moysey explained to Committee and Council that she and her husband believe that they should not be responsible for reinstating a ditch that never was.

Mrs. Moysey also noted that she believes that Director of Engineering and Public Works, Reg Russwurm is mistaken given what her neighbours and a retired snow plow driver have said.

Mrs. Moysey indicated that the area in question is Town property and the Town can dig it up if they choose, although she does not feel that it is necessary as the area drains beautifully. Mrs. Moysey reminded Committee and Council that she will not be paying for the work and feels that it is a waste of tax payers' money.

Deputy Mayor Duncan McKinlay noted the difficulty experienced when presented with Engineering Drawings, stories of memory and photos of the area over time. Deputy Mayor Duncan McKinlay further noted that regardless of what has been presented, somewhere along the line something happened and a ditch is not there today.

Deputy Mayor Duncan McKinlay then asked Mr. and Mrs. Moysey if they would be willing to work with the Town, split the cost of the work and leave the 'he said, she said' and 'who did and who didn't' behind, suggesting that both the Town and the homeowner take responsibility.

Mrs. Moysey indicated that she would have to discuss that option, concluding that Committee has supported Reg Russwurm's recommendation and Committee feels that it is a wise expenditure of tax payer's money to create a ditch in an area which has no drainage issues.

Deputy Mayor Duncan McKinlay did not agree with Mrs. Moysey' statement noting that although the lot drains beautifully it does not mean the road bed does and the Town's road is of interest to the Committee.

Committee Chair Councillor John McKean reminded Mrs. Moysey that the Report which Staff have prepared will be discussed as a separate item on the Agenda and the recommendation will be dealt with at that time.

Mrs. Moysey noted that if she did agree to share the cost of the work, she would like to be given a chance to review the estimate and provide her own estimate for the work and to consider other options that could be done to fix the situation.

Deputy Mayor Duncan McKinlay reminded the property owners that the Town is offering an olive branch and has asked that the leaves not be shaved to make a sharp stick.

Mr. Moysey then addressed Committee and Council indicating that C.F. Crozier did a study on their property and recommended that for \$1,000 a sub drain be installed.

Mr. Moysey noted that he would pay for the sub drain although he feels it is unnecessary.

Mr. Moysey said he would work with the Town to split the cost of the sub drain.

Mr. Moysey further indicated that a grading deposit was given to Blue Mountain Resort along with Craigleith Development. Blue Mountain Resort would not give the deposit back until the final grading plan of subdivision was approved. Mr. Moysey noted that once the information regarding the plan of subdivision was received, they received their money back.

Committee Chair Councillor McKean noted to Mr. and Mrs Moysey that Staff Report EPW.12.108 Roadside Ditch – 170 Grand Cypress Lane – Follow-up, would be discussed later on the Agenda.

Mr. and Mrs. Moysey left the meeting room at this time.

B.3 Serena Goitanich (member of GCRA Executive)

Re: Petition to request Engineering Study for Road Assumption, Castle Glen Rate Payers Association

Committee Chair Councillor John McKean welcomed Serena Goitanich to the address Committee. As Ms. Goitanich was present at the meeting, but ill, Ms. Suutari Suutari of the Castle Glen Rate Payers Association (CGRA) spoke on Ms.Goitanich's behalf.

Ms. Suutari spoke indicating that the CGRA is supportive of Staff Report EPW.12.107 Thunder Hill Development Engineering Assessment – Project Creation.

Ms. Suutari explained that for over 30 years, services such as road maintenance and garbage collection was provided to Castle Glen through the Castle Glen Development Corporation but the services have now ceased. Ms. Suutari explained that as a result the Town has worked out a solution for garbage collection, but have been working on an ad-hock basis for road maintenance. Ms. Suutari indicated that the residents are ready to move toward a permanent solution. Ms. Suutari noted that she believes assumption of the roads is the only reasonable solution.

Ms. Suutari explained that although the CGRA is in support of recommendation presented in Staff Report, EPW.12.107, they do have concerns. Firstly, Ms. Suutari would like to confirm the participation in the cost allocation, having a three-way negotiation with the Town, the CGRA, and the Development Corporation. Secondly, Ms. Suutari would like the Engineering Study to address the sewer infrastructure, as well as the roads. Thirdly, Ms. Suutari would like it to be noted that the residents of the development, who use the roads regularly are in favour of the Engineering Assessment although Mr. Larkin, who has 23 development lots has not signed the petition. Lastly, Ms. Suutari explained that despite having proactive support of the petition, one of the reasons Mr. Larkin has withheld a signature is due to concern with cost allocation. Ms. Suutari noted that the CGRA is concerned as well, and would like to ensure that the cost allocation is fair and equitable for all of the residents of Castle Glen.

Ms. Suutari thanked Staff and Committee for their time and indicated that the residents are demonstrating their commitment to the Engineering Assessment and that they are looking forward to the assumption of the roads in order to remove the ambiguity of the Community within the Town.

Councillor Halos asked Ms. Suutari if she is envisioning a three way split in cost allocation to start this process and Ms. Suutari noted that at this point, they are advocating for a seat at the table.

Deputy Mayor Duncan McKinlay indicated that Staff Report EPW.12.107 does not mention cost allocation. Ms. Suutari noted that she is aware the recommendation does not discuss how the cost will be split, but indicated that once it is understood how the road is used then the CGRA can look at and understand how the benefitting properties would be affected and how the cost allocation should be split.

Deputy Mayor Duncan McKinlay indicated that Mr. Larkin might not feel the same way about the Lagoon System lot, since everyone hooked up to it benefits from it. Deputy Mayor Duncan McKinlay suggested that Mr. Larkin could pay the bill and those who use the system could pay it back.

Committee Chair Councillor John McKean asked the Director of Engineering and Public Works Reg Russwurm, if the condition of the pipes and the sewer network under the roads would be part of the assessment, and if it was not if it would drive the cost up.

Reg explained that a detailed assessment of the sewer network was not in the original plan for the Engineering Assessment, and that Mr. Larkin would have to be given permission to have the Town inspect the system. Reg also explained further that the system is viewed much like a private utility comparable to natural gas or cable.

Reg indicated that with Mr. Larkin's endorsement, the \$75,000 for the assessment can include an overview of the pipe locations, but a video assessment cannot be done without additional fees. Ms. Suutari noted that four years ago the sewers were inspected and there is a video available. Reg noted that the video would be helpful.

Committee Chair Councillor John McKean noted that Mr. Larkin was present at the meeting as a member of the gallery. Committee then concurred to allow Mr. Larkin to speak. Mr. Larkin noted that Staff Report EPW.12.107 reflects his position perfectly but pointed out that when all the lots are factored in it will become a double edged sword for him. Mr. Larkin indicated that he believes the assessment should move forward, clarifying that although he has not signed the petition, he does agree with moving ahead with the assessment.

Mr. Larkin noted further that cost allocation can be discussed once a cost is determined.

Councillor Ardiel, questioned where the funds are coming from for this assessment. Reg noted it will be an unfunded liability and the Treasurer will capture the costs. Cost recovery will be via the appropriate bylaw.

Councillor Gamble noted that he believes the cost allocation should be determined before the work begins to avoid any conflict later determining who should pay for what.

Councillor Gamble also indicated that the underground services should be addressed in the original assessment.

Reg noted that once his Report is presented, Committee can discuss how to move the recommendation at that time.

Mr. Larkin indicated on a map from Staff Report EPW.12.107, which lands are to be serviced in the future. Mr. Larkin also pointed out the large lot on Grey Road 19, which is the location of the maintenance shed, the lots which work off the Lagoon system and future development lots.

Mr. Larkin thanked Committee and Council for taking the time to understand his position.

C. Staff Reports as circulated

C.1 EPW.12.108 Roadside Ditch – 170 Grand Cypress Lane – Follow-up Reg Russwurm

Mr. and Mrs. Moysey re-joined the meeting at this time.

Committee Chair Councillor John McKean indicated that Committee and Council will be passing a recommendation on Report EPW.12.108 Roadside Ditch – 170 Grand Cypress Lane – Follow-up, asking Mr. Moysey, property owner of 170 Grand Cypress Lane, if he had any other comments to present to Committee and Council.

Mr. Moysey then addressed Committee and Council explaining that he believes the Town should split the cost of the sub drain for \$1,000 recommended by C.F. Crozier.

Deputy Mayor Duncan McKinlay then asked Mr. Moysey if he would accept the Town's offer to split the cost of the work to re-instate the ditch in front of the 170 Grand Cypress Lane. Mr. Moysey explained that the Town can save money and do the work the cheapest way possible if they install the sub drain.

Deputy Mayor Duncan McKinlay then asked Mr. Moysey if the Town were to put in a ditch, would he pay for half of the work. Mr. Moysey replied asking Committee and Council if they would split the cost of the installation of the sub drain.

Mr. Moysey indicated that the sub-drain would work just fine, even though the area works fine already.

Deputy Mayor Duncan McKinlay explained to Mr. and Mrs. Moysey that Committee and Council will move forward on the matter in the best way they feel will work for the Town and the ratepayer of the Town.

Mr. Moysey then noted that he does not like the term 're-instated' to be used since there was never a ditch in the first place, noting further that a snow-plow driver, by the name of Mr. Shaw heard about this matter in the newspaper and contacted Mr. Moysey to say that there was never a ditch on his property.

Mr. Moysey suggested that Committee and Council think about the option which C.F. Crozier has recommended.

Committee Chair Councillor John McKean thanked Mr. Moysey for his time. Mr. Moysey then left the meeting room.

Committee then dealt with Agenda Item C.1.

Director of Engineering and Public Works Reg Russwurm, addressed the Report noting that he had addressed all four concerns which were brought up at the previous meeting asking Committee if they have any questions of clarification about the Report.

Councillor Ardiel asked Staff how situations similar to this are paid for on other properties. Reg explained that Staff work with the residents, understanding that residents like to landscape their lots, noting that there is constant concern about filling in ditches as it does not facilitate good drainage.

Reg explained to Committee and Council that sub drains do work, but over time, even with filter cloths, once roots get into the mechanism, it becomes a maintenance concern. Reg indicated further that if the Town becomes the owner of the sub drain, then the Town has to deal with the maintenance of a buried piece of infrastructure. Councillor Halos indicated that he understands the importance of having a Town policy regarding ditches and drainage and is in full support of the Report, but views the situation as mitigating circumstances between neighbours and it is hard to point a finger at who did it or who did not do it.

Councillor Halos noted that in looking at the work involved, he believes that \$1,000 would cover the cost of the work.

Reg indicated that he did speak with C.F. Crozier about the long term maintenance and design of the sub drain. Reg noted that it is true that the sub drain will work to solve the problem of the current day, but the option does not look long term. Reg noted that an agreement could be made, in which the Town can ask for money in the future for repairs, but it is an administrative nightmare to establish and enforce that type of an agreement.

Deputy Mayor Duncan McKinlay noted that Staff can drive by a property and see drainage working or not working in a ditch but Staff in 20 years cannot see a sub drain working or not working as Staff would have to dig it up to know.

Deputy Mayor McKinlay noted that he would like to move away from placing blame and move along, getting the job done and keeping it fair.

Moved by: Duncan McKinlay

Seconded by: Bob Gamble

THAT Council receive Staff Report EPW.12.094 entitled 'Roadside Ditch – 170 Grand Cypress Lane – Follow-up';

AND THAT Council endorse the requirement to construct a roadside ditch between the two driveways at 170 Cypress Lane to a condition in accordance with the "As-Built" Engineering Drawings for Grand Cypress Lane;

AND THAT the property owners be notified that the Town will undertake the work intended to be completed between the 15th of April and June 1st 2013;

AND THAT the fronting property owners be invoiced for half of the works up to \$1,000 maximum invoice, **CARRIED.**

C.2 EPW.12.107 Thunder Hill Development Engineering Assessment – Project Creation

Reg Russwurm

Committee Chair Councillor John McKean asked Committee how they wish to deal with the recommendation presented taking into consideration Councillor Gamble's thoughts regarding determining cost allocation prior to the work commencing.

Director of Engineering and Public Works Reg Russwurm, clarified that the \$75,000 will be used for the initial assessment and once the assessment is completed, construction costs and allocation of costs can be determined.

Reg also noted that the Planning Department and the Finance Department will have to be brought in for discussion of cost allocation in order to determine which lots currently exist and which could potentially exist and which areas would benefit from the improvements.

Deputy Mayor Duncan McKinlay suggested that a meeting be held with the CGRA, Mr. Larkin and the Town in order to ensure that all three parties come to a decision regarding the cost allocation.

Councillor Halos agreed, noting that it is a reasonable position to support.

Deputy Mayor Duncan McKinlay asked if Committee Chair Councillor John McKean would be willing to meet with the parties involved in order to decide how to split the cost of the work. Committee Chair Council McKean reminded Deputy Mayor McKinlay that in January 2013, the Infrastructure and Recreation Committee chair might be replaced.

Reg noted that Staff can meet with all the parties involved to discuss the breakdown of the costs and Staff can prepare a Report on how the costs will be shared at the end of the study.

Moved by: Duncan McKinlay

Seconded by: Joe Halos

THAT Council receive Staff Report EPW.12.107 entitled “Thunder Hill Development Engineering Assessment – Project Creation”;

AND THAT Council authorize Staff to enter in to a contract with an engineering firm to undertake an engineering assessment to determine the preferred road design within the Thunderhill Development such that the Town can assume the works as public infrastructure to a maximum of \$75,000, understanding that Town cash resources will be utilized until they can be recoverable from the benefiting property owners;

AND THAT Council direct Staff to prepare for Council consideration a draft cost recovery by-law for the collection of monies expended to complete the engineering assessment in a manner similarly to prior by-laws relating to winter and summer maintenance of the Thunder Hill Development, **CARRIED**.

D. Information Reports / Correspondence

D.1 DOR.12.60 Ravenna Hall Capital Project update

Shawn Everitt

Director of Recreation Shawn Everitt, briefed Committee on the Report noting that he brought the Report forward to let Committee and Council know that the work has been completed.

Shawn indicated that \$15,000 was budgeted for the work. Shawn thanked the Roads Department for completing the work for \$7,000. Shawn explained that the money which was saved has been carried over into funds for 2013. Shawn noted that he hopes to use the money to provide an adequate water supply to Ravenna Hall.

Councillor Ardiel asked Shawn if the unused funds could be used to widen the walkway on the path. Shawn noted that in speaking with Terry Green, the trail has to settle before any funds will go into improving or widening the path.

Moved by: Duncan McKinlay

Seconded by: Bob Gamble

THAT Council receive Staff Report DOR 12.60. “Ravenna Hall Grounds” for information purposes, **CARRIED**.

D.2 EPW.12.101 Water 2012 Ministry of the Environment Inspection Results

Meg Boyd

Compliance and Efficiency Coordinator Meg Boyd, briefed Committee on the Report.

Deputy Mayor Duncan McKinlay noted that as past Chair of the Infrastructure and Recreation Committee, he has seen many positive reports come through. Deputy Mayor McKinlay commended John Caswell, Darren Shilvock, Meg Boyd and all the Staff for the good work they do and the efforts they put in each day to ensure that the Town of The Blue Mountains has safe drinking water.

Moved by: Duncan McKinlay

Seconded by: Bob Gamble

THAT Council receive Staff Report EPW.12.101 entitled "Water 2012 Ministry of the Environment Inspection Results" for their information, **CARRIED**.

D.3 EPW.12.102 DWQMS External Audit Results

Meg Boyd

Compliance and Efficiency Coordinator Meg Boyd briefed Committee on the Report.

Deputy Mayor Duncan McKinlay asked Meg if the staffing, budget and resources which the Town has in place are enough to address the concerns noted in the audit. Meg indicated that although there were minor areas of non-conformance, she does have the resources required to address the concerns on time.

Deputy Mayor Duncan McKinlay noted that he is pleased to hear that all matters will be addressed on time.

Moved by: Bob Gamble

Seconded by: Joe Halos

THAT Council receive Staff Report EPW.12.102 entitled "DWQMS External Audit Results" for their information, **CARRIED**.

D.4 EPW.12.095 Capital and Development Status Report

Mike Campbell

Committee Chair Councillor John McKean declared pecuniary interest to this Agenda Item and left the room for the duration of the Report discussion. Councillor Halos chaired the meeting on his behalf.

Deputy Mayor Duncan McKinlay asked Staff about Capital Project #5 - Grey Rd 21 Trunk Sanitary Sewer. Manager of Water and Wastewater John Caswell noted that Construction Coordinator Mike Campbell has been working with the Ministry of Transportation to come to a resolution.

Councillor Gamble indicated that he believes the Report is beneficial as it provides information on the status of all projects.

Moved by: Duncan McKinlay

Seconded by: Bob Gamble

THAT Council receive Staff Report EPW.12.105 entitled "Capital and Development Status Report" for their information, **CARRIED.**

Councillor McKean joined the meeting at this time.

E. New and Unfinished Business

E.1 Cindy Gretton, E&H Property Management - Letter to Duncan McKinlay

Re: Highway 26 and Lora Bay Drive Intersection Illumination

Cindy Gretton addressed Committee noting that she is representing the residents of Lora Bay and she is requesting that lighting be installed at the intersection of Highway 26 and Lora Bay Drive.

Cindy noted that the intersection can be difficult at night coming in from Meaford toward Thornbury, with animals crossing or if there is rain.

Councillor Halos asked if the rate payer would pay for the light. Cindy noted that she believes that there are a lot of tax dollars coming into the Town from the residents of Lora Bay and she feels that with the road widening that the lighting should have been addressed at that time.

Manager of Roads and Drainage Jim McCannell indicated that 18 months ago the intersection came to his attention, and he has made the application for an encroachment permit and a work order has been issued.

Jim noted that the work was scheduled to be done this fall and the light to be up in October. Jim noted that the delay was due to the concern of where the power would come from because of the site configuration and complexities.

Jim noted that once a power source is determined the installation of the light could be done by the end of year. Subsequently, an ESA inspection is required before Ontario Hydro can power the light.

E.2 Update on St. Georges Church

Reg Russwurm

Director of Engineering and Public Works Reg Russwurm indicated to Committee and Council that securities have been returned.

F. Next Meeting Date

Tuesday, January 15th 2012, 3:00pm, Town Hall, Council Chambers

G. Adjournment

Moved by: Bob Gamble

Seconded by: Duncan McKinlay

THAT the Infrastructure & Recreation Committee Meeting of Tuesday, December 11th 2012, is adjourned at 4:45 pm, **CARRIED.**