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**MINUTES
COMMITTEE OF THE WHOLE
PUBLIC WORKS, ENVIROMENTAL SERVICES & FACILITIES
MONDAY, SEPTEMBER 17, 2018
6:30 PM
SPENCERVILLE MUNICIPAL OFFICE**

Present: Councillor Barrett, Chair (left at 8:16pm)
Mayor Sayeau
Deputy Mayor Taylor
Councillor Morrell
Councillor Smail
Hugh Cameron, Advisory Member
Mark Packwood, Advisory Member

Staff: Deb McKinstry, CAO/Clerk
Dave Grant, Director of Operations
Mike Spencer, Manager of Parks, Recreation & Facilities (left at 7:20pm)
Rebecca Williams, Deputy Clerk

1. Call to Order

Councillor Barrett called the meeting to order at 6:32 pm.

2. Approval of Agenda

Moved by: K. Smail seconded by: M. Packwood that the agenda be approved as presented.

Carried

3. Disclosure of Pecuniary Interest & the General Nature Thereof

Councillor Smail declared an interest on item 7e) as she lives on Walker St.
Councillor Barrett declared an interest on item 11a) as his parents-in-laws are respondents to the JRDR Municipal Drain legal matter.

4. Business Arising from Previous Committee of the Whole Minutes – None

5. Delegations & Presentations

Committee noted that the delegation will be delayed to 7:30pm when the Lawless family is expected to arrive.

6. Discussion Items – None

7. Action/Information Items

a) Spencerville Legion Sewer Charges

Committee reviewed the report and raised concerns about lowering the rate for the Legion before a complete comprehensive system study has been completed. Members noted that the reduction in rate would be only temporary for the remainder of the year to help alleviate concerns. It was noted that the Legion did not apply for the annual community grants and donations program to assist with operating costs.

Members highlighted that by reducing the rate for one organization, it will affect the rest of the system users, who will have to take on the shortfall. It was noted that the system review may not be completed in time for the first quarter billing in 2019. There was consensus from Committee that the rate reduction will only apply for the 2018 third and fourth quarter and will return to the 5 times flat rate in 2019.

Moved by: K. Smail seconded by: M. Packwood that Committee recommends that Council:

1. Adjust the multiplier factor to 2.5 times the residential unit being applied to the Spencerville Legion effective for the third and fourth quarter billings in 2018; and
2. Direct staff to include a cost to perform a rate study into the draft 2019 budget for consideration.

Carried

b) Arena Season End Review

Staff summarized the report and explained the additional maintenance costs that were incurred for the Spencerville and Cardinal arenas. Committee noted that in total, the operating deficit for both arenas combined is \$178,932.07. Members enquired about the expected outcome for 2019 with the additional hours and usage of the arenas. It was noted that the need for the additional hours will likely result in additional expenses to the Township due to the required increase in maintenance.

Members highlighted that other municipalities in UCLG have agreements to use facilities in neighbouring municipalities, which results in funds being paid to the municipality providing the services to assist with the operating costs. Committee noted that due to the circumstances the Township is willing to help neighbouring municipalities but may want to revisit municipal user agreements with surrounding municipality users in the future.

c) Arena Ice Usage for 2018-2019

Staff summarized the report, highlighting that the Township and the surrounding hockey associations are accommodating the South Grenville Minor Hockey League due to the closure of the Leo Boivin Centre. Committee noted that staff worked with user groups to organize and expand the arena hours to try to accommodate everyone. It was noted that there will be 3 additional hours of ice each week at the Spencerville arena, and 4.5 additional hours of ice at the Cardinal arena. Members highlighted that both arenas are fully booked, which will result in additional maintenance due to the added foot traffic.

Committee highlighted that the closing of the Prescott arena has added extra work and complexity for Township staff, which has been handled with minimal disruption to the hockey groups. Members enquired if out of town user fees were being charges to the groups, and suggested Council should approach the Town of Prescott to waive the out of town fee for Walker House. It was noted that the Township is not charging the out of town user fee to the hockey groups as many of the players are local.

Members confirmed that the public skating times will not be affected. There was a brief discussion with respect to the use of the walking track during hockey games. It was noted that the walking track will be closed for the Junior hockey games where the spectators pay admission for the event. It was noted that they are evening games from 8:30pm to 10pm on Saturdays. Committee noted that the Mayor sent a letter to the Town of Prescott offering support. Members commented on the news that the annual Midget AA/AAA tournament has been moved to Morrisburg even though the Cardinal arena was available.

d) James Street Rail Crossing

Committee confirmed that residents will be made aware of the rail repairs and road closure, specifically with respect to youth walking to the bus stops. It was noted that staff will publish notification on the Township website and social media, as well as confirm with Ingredion that they are directly notifying affected residents of the closure.

e) Walker Street Update

Councillor Smail did not participate in the discussion or vote on the matter.

Staff summarized the report and noted the main reasons that the project completion will be delayed until 2019. Members noted their concern with the contractor not completing the project in the specified timeframe and enquired if the Township would be able to hold back payments. There was a brief discussion with respect to the suggested 2-year blackout period and if the Township could extend it if the contractor does not complete the project by the June 30, 2019 deadline. It was noted that two more payments are expected this fall and that a

two-year blackout period is considered reasonable timeframe if the project is not completed.

Members noted that staff have been diligent in supervising the project, as there have been little to no change orders or additional resources requested. There was a general discussion with respect to the underground infrastructure locations, which caused some delay in the project, and steps being taken to have more accurate information in future years. Committee discussed how far into the fall/winter season the contractor may be working to get more of the project completed. It was noted that the contractor will be responsible for the winter maintenance of the road while they are still actively working on site.

Moved by: P. Sayeau seconded by: H. Cameron that Committee recommends that Council authorizes staff and Eastern Engineering Group to negotiate a contract extension for the Walker Street Rehabilitation project.

Carried

f) Request to Purchase Vacant Lands

Staff summarized the report and reasons that the Township may consider declaring the land as surplus. There was a brief discussion with respect to the sale process, specifically highlighting that as a public entity the Township needs to be transparent in sales of public land. It was noted that the public would be notified about the surplus land for sale for 30 days, in 2 local newspapers and the Township social media accounts, in accordance with established policy.

Members enquired if the amount currently offered would cover the tax arrears that were outstanding in 2011 when the property was offered for tax sale. It was noted that the original tax sale minimum tender amount was \$4,926, which included \$3,974 in legal fees, however now that Realtax handles the tax sales the costs have decreased substantially. It was noted that the Summers are planning to merge the vacant 0.39 acre parcel with their adjoining land.

Moved by: H. Cameron seconded by: M. Packwood that Committee recommends that Council:

1. Declare the property described as Con 6, Pt. Lot 27 Water St. PIN 68141-0478, Roll #0701-701-040-08300 surplus to the needs of the Township; and
2. Notify the public of the intended disposition as per the requirements of By-law 2015-44; and
3. If no other interest is expressed, proceed to sale of the property to Steve and Stephanie Summers.

Carried

5. Delegations and Presentations

- a) Brian, Ken, Kevin & Pat Lawless – Unopened Rd Allowance – Hands Rd

Brian Lawless, representing the Lawless family, requested that the Township assume Hands Road into the road network as a Township road, and upgrade and maintain the road. Mr. Lawless reasoned why Hands Rd should be considered a Township road instead of an unopened road allowance, specifically highlighting that back in 1999 the Township placed gravel on the road, however did not continue to update or maintain the road.

Members enquired why the Lawless' were seeking the Township to update and maintain the unopened road allowance now, when it was not a concern in the past. Mr. Lawless noted that it would benefit the surrounding land owners and that the condition of the road is one of the reasons Shared Networks Canada has not begun development of the telecommunication tower on the Lawless owned lands. Members noted that the Township made it clear to Shared Networks that the area was only accessible via the road allowance and that an agreement to maintain the unopened road allowance would need to be entered into before development and upgrades to the road could begin. It was noted that the unopened road allowance agreement must be in place before the site plan control agreement can be considered.

Mr. Lawless stated that regardless if Shared Networks Canada develops the telecommunication tower, the Township should update and maintain the road as part of the Township network. Members highlighted that if the Township was to upgrade and maintain the road, it would directly impact the tax rate to all other residents of the Township, and that portion of Hands Road being discussed does not have any residential dwellings on it.

There was a general discussion with respect to the drainage on Hands Rd, specifically if work is required on the road to assist in the drainage of water. It was noted that just because the Lawless' were assessed as benefit to a municipal drain does not mean they have granted drainage rights, and the Township is under no obligation to maintain the road since it's not part of the drainage system. There was a brief discussion with respect to the cost of updating the unopened road allowance. Members noted that any updates to Hands Rd would be an unbudgeted expense and during the current lame duck period, Council is prohibited from amending the budget.

Committee thanked the Lawless family for their information.

g) Assume Albert Street

Members noted that the contractor brought the street up to full Township standard, including paving, before the Township would consider assuming the street into the network.

Moved by: K. Smail seconded by: P. Sayeau that Committee recommends that Council approve a by-law to establish Albert Street as a public highway in the Township of Edwardsburgh Cardinal.

Carried

h) Johnstown ATV Club – 2018 Additional Road Request

Committee reviewed the report and noted their concerns with respect to the list of additional roads, specifically the areas that the ATV would be travelling on open Township roads and shoulders. There was a brief discussion with respect to the Johnstown ATV Club and surrounding Eastern Ontario clubs separating from the Provincial association and how that may affect the insurance coverage. Members suggested that the Johnstown ATV Club should be providing a yearly updated copy of their trail network to the Township. There was consensus from Committee to request that the Johnstown ATV Club provide the Township with proof of insurance before the Council meeting.

Moved by: K. Smail seconded by: G. Morrell that Committee recommends that Council amend Schedule "A" of By-law 2015-28 to:

1. Remove the east unmaintained road allowance connecting Pittston and Crowder Road from the map; and
2. Add a small section of Pittston Road connecting to the west unmaintained road allowance.

Carried

i) Motion of Support for Johnstown ATV Club – Councillor Smail

Members noted that the recommended amendment to the By-law 2015-28 in the previous motion resolves the original concerns.

Moved by: K. Smail seconded by: M. Barrett that Municipal Council support the Johnstown ATV Club in the altering of the trail network to include the use of Crowder Rd in order to connect the trails, as well as new additions to the trail network, (such as a new bridge to cross wet areas), on property currently owned by the Township.

Motion Withdrawn

j) Vehicle Maintenance Policy Review

Committee reviewed the policy and supporting documents outlining replacement timeframes, noting that it appeared to be a fulsome program. Members asked for clarification with respect to the supporting documents. It was noted that the supporting documents were provided as a description of each vehicle as well as to give Committee better idea of when each vehicle may need to be replaced. Committee discussed how the policy ties into the asset management plan and

that Council should be looking to set money aside into reserves to replace vehicles when needed.

k) Unopened Road Allowance – Hands Road

Committee requested that staff follow-up with Shared Networks Canada to explain the Committee recommendation.

Moved by: P. Sayeau seconded by: P. Taylor that Committee recommends that Council adhere to the current policy as outlined in By-law 2015-52 with respect to the request for Township support to cover costs of upgrading the unopened road allowance.

Carried

8. Inquiries/Notices of Motion – None
9. Mayor's Report – None
10. Question Period – None
11. Closed Session

Councillor Barrett chamber and did not participate in the discussion. Mayor Sayeau chaired the remainder of the meeting.

Moved by: G. Morrell seconded by: P. Sayeau that Committee proceeds into closed session at 8:16 pm to address a matter pertaining to:

- a) The receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; Specifically: JRDR Drain & Minutes of closed session dated June 18, 2018

Carried

Committee recessed for five minutes to clear the chamber.

Moved by: K. Smail seconded by: M. Packwood that the closed meeting does now adjourn and the open meeting of Committee of the Whole does now resume at 8:48 p.m.

Moved by: M. Packwood seconded by: G. Morrell that the minutes of the closed session of the Committee of the Whole – Public Works, Environmental Services and Facilities dated June 18, 2018 are approved as presented.

Carried

Mayor Sayeau reported that Committee reviewed the minutes of closed session and received and reviewed the final summary report from the Township solicitor with respect to the Township versus Carmichael Drainage Court issues.

Committee directed staff to contact Mr. Robinson to review drainage work required for Township projects.

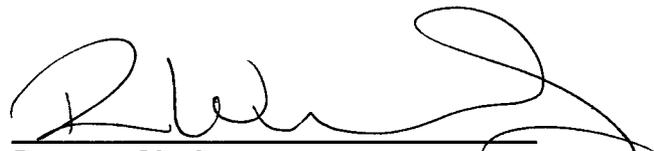
12. Adjournment

Moved by: G. Morrell seconded by: K. Smail that Committee does now adjourn at 8:52 pm.

Carried

These minutes were approved in open Council this 24th day of September, 2018.


Chair


Deputy Clerk