

Committee of the Whole Meeting

RM of Springfield

June 11, 2019 1:00 p.m.

Mayor Fell announced they would be ending the meeting between 2:00 and 2:10 due as they have an announcement this afternoon with the Province.

NEW BUSINESS

4.1 Springfield Pathway and 4.2 Hillside Groundwater Study were put aside as Santokh Randawa Singh was not yet in attendance and moved on to **4.3 Animal Control By-law**. Council were all in agreement.

4.3 Animal Control By-law - Mayor Fell said there were a number on inconsistencies in the By-law when they met with Meghan Main in the Dangerous Dog Section for the Hearing. She referenced Page 25 and said it says there shall be 3 on the Committee. **THAT IS NOT WHAT IT SAYS. It says the committee shall be comprised of three members...appointed by the Council of the RM of Springfield.** The CAO or designate is already an employee of the municipality and on Page 12 "shall initiate a Dangerous Dog hearing" and therefore their role in putting together the Committee is implied. Membership of the Committee goes on to state **1. Two persons with relevant background...2. One taxpayer at large. 3. Chief Administrative Officer or designate.** **Councillor Wilson** said much consideration had been given this issue because of the serious consequences of such a hearing and that it should be left 4 members and the number in the paragraph changed to 4. **Mayor Fell** said she firmly believed there had to be an uneven number on the committee and a discussion then ensued as to whether it should be 3 or 5. In the end they decided it should be 2 people with expertise, two taxpayers, and the CAO. **John Wright**, a member of the audience, then stated it should be 3 experts, 1 citizen and the CAO but Mayor Fell disagreed as she said one of the citizens could be a dog lover like a couple of people on Council and would make just as good decisions as someone who "runs a kennel". **Heather Erickson** in the audience agreed with John Wright that if the number were to be raised to 5, 3 should be experts in animal behaviour because it is one thing to love an animal and quite another to be an expert in their behaviour. **NOTE: Many people who have dogs, for example, and love them, do not train them particularly well or manage their behaviour appropriately.** When asked by Councillor Ralke who had recommended the change, **Colleen Draper** said it was the Animal Control Officer who felt it was desirable to have a fast turnaround on these hearings. **NOTE: I totally disagree. Such a hearing should be seriously debated. Speed of conclusion should not be a criteria. Further I disagree that it would be difficult to find experts in animal behaviour willing to serve. Four of them spent 6 voluntary years working on this by-law.** In point of fact, the firm awarded a contract for animal control in the municipality is required to comply with the Animal Control By-law, not make suggestions for changing the by-law. The Council arrived at the decision that it should be a committee of 5, 2 experts, 2 citizens, the CAO and the CAO said it should stipulated a quorum of 3. Mayor Fell wanted the quorum clause to stipulate that the quorum must be 1 expert, 1 taxpayer, and the CAO or his designate. This change will be brought to the next Council meeting for further discussion and vote. **MY OPINION is that since Council, the CAO, and the Animal Control Officer completely misunderstood the statement under Membership of the Committee, that is a clear indication that the statement should be changed to read "The Committee shall be comprised of 3 members over the age of 18 appointed by the Council of the RM of Springfield, two of which are experts in animal behaviour (i.e. kennel owner, dog trainer, veterinarian, etc.) and one taxpayer at large, as well as the Chief Administrative Officer or designate who initiated the hearing but does not vote."** The core group that were the authors of this by-law worked on it for at least 6 years and in the final stages were joined by our then CAO, Russell Phillips and the then Animal Control Officer, Dan Fryer, himself a professed specialist in animal behaviour, and the composition of the Dangerous Dog Committee was debated at length and the decision made to have 3 as mentioned. I think it would be irresponsible of our current Council to arbitrarily change this by-law based on the suggestion of our current contractor. As Councillor Wilson has stated, this is too serious an issue to hastily address without proper and timely consideration as decisions arrived at have grave and significant consequences for the owners of such an animal. It is not a decision to be made lightly and that would also apply to any changes to the by-law that just was passed earlier this year. **Colleen Draper, the CAO** read other changes from her report with which the only concern I have is the Designate because in a previous by-law they list a plethora of designates, some of which I am unsure as to whether or not they should head up such a Committee. **Darryl Speer** - I want to know, this is under Animal Control, what restricted animals have been registered with the RM since February 19, 2019 which is the effective date of the by-law and what compliance orders have been served? **Mayor Fell** - So we only answer questions specifically about what is on the agenda which is the amendments proposed. If you have other questions about the information in the by-law I actually going to ask you to e-mail the information to the CAO regarding that and she will answer the question. Thank you. **Vic Gerbasi** pointed out that dogs are generally tattooed in the ear, racehorses are tattooed in the lip. **NOTE: Because the audio file for this meeting was not posted until Monday June 17, 2019, and I did not get around to finishing the**

notes until now, I can add that at the Council Meeting of June 18, 2019, the by-law was changed back to the original intent of having a committee comprised of 3 voting members, two experts and one citizen.

4.1 Springfield Pathway - Santokh Randhawa Singh - The Springfield Pathway was proposed in this year's budget. We prepared a preliminary layout for that. During the budget conversation it was thought we would link it to the Administrative Office but because of the pond and the trouble connecting to the office, I am proposing to leave it by where the Sunova is and once the property on south of Sunova is developed, at that time it may be incorporated with that but still I feel there will not be too much usage of this path at this time so I just want Council to take another look on this one. **Mayor Fell** - Is there any questions from Council? **Councillor Fuhl** - I am not in favour of the way you've got it drawn out here. My concern is that the pathway is to be used and I just don't see the purpose of it being used as much going there versus to the RM office. Again I am just looking at it logistically. **Santokh Randhawa Singh** - Right now it can serve where the Co-op store is and then Sunova Building and up to that. **Mayor Fell** - Ending where the green line is. So budget question, this was in the budget for the whole amount and is this funded by grant money or funded solely by the RM? **Santokh Randhawa Singh** - Solely by the RM, all the gas tax money. **Councillor Fuhl** - My understanding there was grant money available though from ...when I was talking to Red River North Trails Association they would be able to look at some type of grant money. **Mayor Fell** - Right and so maybe they are saying that because we did apply for the Anola sidewalk and we were told it is too small when we applied for that grant money. Maybe that is part of the issue. **Councillor Wilson** - The place that we applied to Anola for was different than the Red River North Trails. There are grants available to move in the Trans Canada trail process from along the side of a roadway to a greenway which would be the case here so we could apply for that. I too am interested actually in seeing the trail end up at the municipal office. While it would appear to require relocation of maybe a dozen or so trees, I don't think it is impossible. **Mayor Fell** - Do you think we should apply for funds for the whole amount then? **Councillor Wilson** - Yes but that is just, my opinion is just maybe looking at Dugald maps and actually saying that's not a bad thing so I'd like to talk about it a little bit further to confirm whether or not it is actually physically possible. **Mayor Fell** - So maybe we could through our CAO to find out if there is something available and if there is, we will apply for the whole amount for the grant money and if there's not, maybe just do the green portion this year. **John Wright** - When I first saw this this morning I was totally dead against it because it looks like a path going to nowhere. When you drive around Winnipeg, the paths around Winnipeg join up, all over Winnipeg. I think, I live in the country so it's not me but my daughter lives here and she walks the paths up and down Main Street just about 3 or 4 times a week with the kids and the dog and they're used. I think if you're going to take taxpayers' dollars for Oakbank, you should join up the paths east and west on Springfield Road to the new communities out to the east, and out to the west and out to the west and out to the east would make it for the public that they could go around. I was also at the baseball park yesterday and it's too bad you haven't got a path down the road there to the baseball diamond and the soccer field. This path will be built one day but when it expands but with the taxpayer dollar out there now, if we're looking at taxpayers taxes and stuff, they think you made a path half way to nowhere. To connect to here is fine but how many people are going to walk down that path to come to here. **Councillor Wilson** - During the last administration, there was a discussion of this and at that time part of the discussion included the fairly high potential according to people that we're discussing of attracting grants from the businesses that this path would hook up to so I would suggest that that's an alternative and it would certainly speak to the concern of gallery that otherwise it would be a path to nowhere if its going directly to those businesses. **Mayor Fell** - And further to that discussion, we also had asked that, I believe staff was working on this, a pathway plan for the RM so we can actually see which pathways we need to do first, what they are going to connect to, the benefit and this is for like the Trans Canada Pathway, the Red River Trail pathway, Anola, Dugald so we can see everything laid out basically as a sidewalk and pathway Master Plan. **Councillor Wilson** would support the comments from the gallery regarding having them connect up particularly to the new developments. I think that's the basic criteria. **Mayor Fell** - But I would also like to point out to Council when we went through budget it was made very, very clear that if it's in the budget, it should get done. So I am a little concerned that we put this in the budget and now we're saying not to do it. **Councillor Wilson** - We're not saying that, I am saying in the future when we're talking about the plan definitely hooking them up to connect them together. This to me is connecting people to businesses and there is a horrible, to me, situation regarding pedestrians and traffic in that whole Co-Op Mall area. We have to find a way to get pedestrians out of that **Mayor Fell** - I just wanted Council to be cognizant of the budget because we did commit that to the public. It was then stated the path would be asphalt and 8 ft. wide. So do we want to direct staff through the CAO to apply for a grant for the entire yellow portion and see what happens or... **Santokh Randhawa Singh** - The yellow portion is only the hydro poles line here so we are staying about 2 meters from those poles towards the road side. I still think the Plan has to be approved by MIT as well so I just wanted to make sure you were fine with going only up to Sunova because that is the length we may be covered with the budgeted amount. **Mayor Fell** - Ok, so that is what was in the budget, that portion. **Santokh Randhawa Singh** - Like, we have \$50,000. it may, I can maybe get a little bit more than that but then that will look like, it will be ridiculous going nowhere. **Mayor Fell** - So can we still ask you to apply or check into applying for that grant as well because as Councillor Fuhl says, that might be available. I think we have to do our due diligence in regards to the grant. **Santokh Randhawa Singh** - And another reason why I put this, a lot of times when we discussed it, the thought was it will be continued to Dugald but I don't see us staying on the other side for the length between Dugald and Oakbank. **Mayor Fell** - And that was my question too because people have been asking for a pathway between Oakbank and the library and then if we do the pathway on this side it doesn't really help with that. **Santokh Randhawa Singh** - I am thinking of a

sidewalk on the other side when the other side is developed. That can be part of the developer, the government at that time. So at least we will do 1 mile of that and the rest we can complete on our own. Council will have CAO and staff look into options.

4.2 Hillside Groundwater Study - Santokh Randhawa Singh - I have received the work plan from KGS for year 2. So when we presented the quote at that time KGS said they would present the year 2 program and then that would be discussed with the Council. So they have given us under this program the keys that Glacial will allow us to drill at least 2 wells at their property because the plume that was indicated in the Year 1 Report is about 150 meters to the southwest of the land outside so we want to confirm that plume if it is there actually by drilling the two wells and they are proposed 3 wells in their work program if Glacial allows that. And if they don't allow us, in that case they are going to Plan B which is drilling shallow wells by our existing wells although that was a requirement in the 2 year plan as well from the province to drill shallow wells alongside the existing deep wells but that will not help us in confirming the plume that is there. So the cost for Plan A like drilling the wells and all the sampling that will be associated with that Year 2 program is \$50,000. and if we go to Plan B that will be \$36,000. and then they have given us an option of two regions that was a concern brought up last year during that presentation that there was another dump site that was not identified so they have asked for \$4,700. to work on that, the site review and then there is various ways of investigation, they are asking \$26,000. after that so I am not sure about where that site is so. **Mayor Fell** - Is there any questions from Council? **Councillor Wilson** - I do have a comment. When they were talking about the additional study, the value added program, the first one was a modeling and I was just wondering, how can one determine whether further modeling is warranted, that seem to be a subjective thing and I didn't understand. **Santokh Randhawa Singh** - So I am not recommending the modeling right away yet so we will wait if Glacial allows us to drill the wells and we will definitely give you a report from them and what is the outcome of that report. At that time if we see that plume is traveling this way, it's confirmed, then we may need to get the modeling done to understand what will be the appropriate action down the road and how fast it is travelling in that case. **Councillor Wilson** - And I agree with that. I've got two other comments, one is Plan B would make sense to me if we cannot get on to Glacial property because the proposal would enable us to comply more fully with the order. The question I have there is whether or not it is an appropriate enough bang for the buck. It would seem to be a lot of money for two shallow wells. I would leave that up to yourself to comment on. The last would be the "add" program for the additional off site waste location and sampling of it. I certainly agree with going through air photos and RM records as the cheapest way of starting to find out where that might be but instead of doing a lot of drilling, I would suggest using the ground penetrating radar and drilling test holes, not 20 meters deep but perhaps only 20 ft. deep to verify whether or not the location identified by such a process as ground penetrating radar would be in fact the fluff they are looking for and then just sampling that instead of going to deep wells and doing sampling. That does make sense to have that in there if we don't even know that's going to be required. (there is quite a bit of noise in the background when Councillor Wilson is speaking) **Santokh Randhawa Singh** - I would need some guidance from the people who know where that site can be before I can even start with this because I don't have any idea where that site was. And so what should I tell the consultant that they are to look for so I will need that information in order to go on with that. **Mayor Fell** suggested that Don Rocan who was in the audience would provide that information as to where that area was and Mr. Rocan was agreeable. **Santokh Randhawa Singh** - So then in that case that will be only the first part of this, the site review, and they are asking for \$4700. for that. So once that review is established and it indicates there is a site, then we may, at that time I can bring it back to the Council. Council agreed with that suggestion. **Darryl Speer** - What I want to know is, we've had this identification of the possible leachate creep into Glacial, has there been no conversation with Glacial about having access to their property to confirm the creep of this leachate? (Neither the Mayor or Santokh had an answer.) It was identified, KGS identified the prospective creep of the leachate on to Glacial's property. That's already been established by the report of February. Has there been any discussion with Glacial about access to their property to confirm this? **Santokh Randhawa Singh** - The report was shared with them but there has been no discussion with them so I was waiting for the progress report they were asking for and now they have submitted that, I will start asking them. **Mayor Fell** - As a comment, though, I have chatted with the gentleman at Glacial and they have no problem working with us in regards to this. I actually had met with him yesterday and he brought it up so yes they are more than willing to work with us on this issue. **Darryl Speer** - The other question I have is what about the investigation of the deep water pumping that's happening on the Inland property directly to the south? **Mayor Fell** - Is that part of this report? So if you have another question that is not part of the scope of this report, please e-mail it to Santokh. Is there any other questions from the gallery? Don. **Don Rocan** - I have a couple of concerns. In the original Frank Renders' study of the area which was back in the 60s, they identified that the water could move in almost every direction except for north generally so there is some potential that is has moved in other directions since. There has also for many years been mountains of salt stored in the gravel pits at various locations including the yard at Glacial. They had a contract with the city for many years of mixing salt and sand for sanding the streets so that salt could be creating part of the plume we are seeing. I am concerned that it is moving in other directions, primarily east and if you look back at the testing done by the province, there was 3 years of testing and the last year they identified COD in the water, chemical oxygen demand. COD is generally a parameter that you find associated with leaching, basically industrial waste. So if COD is present, that would warrant further action. This last study was saying that the wells east of the site were higher than the actual site of the waste disposal ground. That's not actually correct. I think that those wells are a little bit lower if you start going opposite the waste disposal ground. And if you look at the COD levels that would be indicative of that. And if you go back

to the original study done by ID Engineering in I guess 1996 was the first study done, there was a number of monitoring wells which have since been replaced but they identified a bunch of chemicals in there and I think we should be at least testing for those chemicals. Now the big problem is the budget that you've got here covers drilling a well but a chemical analysis for pesticide screen is over \$1,000. and then you are looking at closer to \$100,000. if you do a general chemistry so you are looking at a lot of money just for the testing let alone the installation of the wells and I think that, you know, this is more looking at one site and we're chasing this one leachate plume if it is from a waste disposal ground but I am a bit concerned that it may be going in other directions. If you go back to Bob Betcher's letter back in east provincial hydrologist in 1996 he identified leachate oozing out like the old dump for your information I guess a lot of people don't know but the old dump was the gravel pit immediately to the east of the garbage site. If you look at the photograph at the back of your letter here or the map, you'll see a turkey trail that runs down perpendicular parallel to the road into the current site. That road continued on right to the centre of that slope and that's where the old site is. And there was comments in the letters from the provincial hydrogeologist that he could see leachate oozing out of the bottom of the slope because the garbage used to be piled around the dump and every month or so the municipality would get the cat in and push it over the edge so the garbage goes right from the surface of the ground right to the water table and that is the easiest path of access because it is not compacted material. Anything going into that and coming from that dump, will likely end up in that point. And that is something that I would like to see in the second part of this thing further investigated. It sort of infers that they want to look at that but my concern is that is probably the biggest scare because it was an uncontrolled dump. **Mayor Fell** - So I know this whole Council wants to protect our water supply, that's part of it, Don could you send an e-mail to Colleen outlining what you believe we should look at so we can discuss it further with Council and KGS. **Don Rocan** - Sure. **Councillor Williams** - I would like to ask Mr. Rocan a question. I believe the study they did in Year 1 last year, they set up the base line for the EM 34 on the east side of the property and then proceeded to do measurements on the southwest part. Are you saying that they should have done more of the EM readings on the east side? **Don Rocan** - I am not an expert on that and that testing method but I am not sure what they were tracking. My understanding was that the sodium chloride they were using as an indicator, whether or not sodium chloride, if it is originating in the waste disposal ground, I am not sure whether that would show anything and during most of the year, any rainfall that falls on the surface of the ground is quickly assimilated by vegetation, there is very little percolation that would make it down to the water table. I would tend to think that most of the water recharging the aquifer is generally when the snow melts in the Spring so that would be the time of year to be looking for something. **Councillor Williams** - The other point is we have this leachate well that was dry when drilled in July last year and we haven't looked at it yet. **Santokh Randhawa Singh** - It didn't involve this year's program. I was sending them e-mails and now...like we can postpone it by a year until the next spring melt so that we can pin it down at that time or the second thing was that last year we discussed the report and another study completed by Office of Drinking Water and they did not have access to that and they did plan maybe to include that in this year's report as well so they will go through that. We were not able to provide them and they were not able to find it. So I will discuss with Don and if he has actually, we can forward that to them and that would be included in this and or any other finding from the past we can make those findings available to them and then it can be included in the scope and I can get this revised in the light of those past reports. **Councillor Williams** - I was never comfortable and maybe Mr. Rocan was the same with this conductivity measurement to determine where the plume is going. It seems like a little bit of magic. **Don Rocan** - Well, it does identify if you know that that's what you are tracking but the concern I have is that there's been all kind of industrial waste dumped in there. I remember seeing trucks driving in at all hours of the night and dumping in that dump so it's been used for everything from our industrial district to domestic waste. You know, we focused on the one thing. My biggest concern has always been the practice of mixing salt and sand in the gravel pits because salt dissolves very easily and if you have it sitting there during a heavy downpour or during snow melt you're going to end up with a ton of salt going into the gravel and I know there is no legislation in Manitoba requiring salt domes so we have open mountains of salt sitting there and its pouring on them. **Mayor Fell** - So thank you, Don. Our CAO and Santokh will be in contact with Don if that's ok. And we will move forward with that. Council concurred.

4.4 Investing in Canada Infrastructure Program - Colleen Draper - Just letting Council know that Investing in Canada Infrastructure Program was just advertised. There is quite a bit of funding available with a September deadline so next steps are senior management will be reviewing our Capital Budget and coming forward with a list of what we think we can apply for to Council for a resolution of Council.

4.5 John Q. - Funding Announcement Invitation - Mayor Fell - This is in regards to the fibre project. I actually don't know what the announcement is however all of Councils have been invited to come out and I think it would be a great thing for all of us to go too to show our support for this initiative and the Capital Region. We will put a resolution on for everyone to go.

Before going into the Closed Meeting, Jan Nysten asked about the Noise and Enforcement bylaws and that they were going to be part of the next meeting, i.e. this one, but the Mayor advised they have not had a chance to consult with the RM lawyer in this regard and it will be on a future agenda. **CLOSED MEETING. The tape did not resume after the Closed Meeting.**