

**West Jasper Place Sherwood Drainage Task Force
Minutes of Meeting #3
March 10, 2016 at Gospel Centre Church**

Present:

- Wendy Woodruff, resident, West Jasper Place
- Peter Doell, resident, West Jasper Place
- Andrew Knack, Councillor, Ward 1
- Clem Yong, Director, Project Delivery, Drainage Design & Construction, City of Edmonton
- Todd Wyman, Executive Director, Drainage Design and Construction, City of Edmonton
- Godfrey Huybregts, Task Force Coordinator

Regrets:

- Hanna Nash, resident, West Jasper Place
- Sherina Dhala, resident, West Jasper Place
- Sandro Marrocco, resident, West Jasper Place
- Karl Holba, resident, West Jasper Place
- Shirley Thompson, resident, West Jasper Place
- Mary-Ann McLennan, resident, West Jasper Place
- Johnathan Cruz, owner, Holy Angels Day Care

A. Agenda

The agenda was approved. It was noted that some Task Force members haven't attended a meeting. Mr. Huybregts will follow up with these members to see if they are still interested in participating and put in the next newsletter more community members are welcome.

B. Minutes of January 21, 2016

The minutes were approved earlier by email.

C. Debrief of February 22 Community Meeting

Task Force members noted the format was appropriate and worked well. The use of more pictures and illustrations helped communicate information and make it more relevant for residents. It was emphasized that City officials show empathy when unintended consequences cause issues/concerns for residents, and the City visibly demonstrate its efforts to 'do it right'.

It was recommended that the City hold another community meeting two weeks after the sewer shaft is uncapped and the scrubbers are operational. This will allow time for residents to provide feedback about their experiences. However, residents in homes immediately adjacent to the site should be approached before and immediately after the uncapping to respond to concerns they may have.

4. Updates

A. Construction

Mr. Yong reported the following information:

Phase I (151 Street, 99 Avenue to 100 Avenue Sewer Rehabilitation)

The diversion hand tunnels and the shaft structure have been completed at 100 Avenue. The City has hired a contractor to install the pumps and related infrastructure, and they are currently on site and should have their work completed in early April. Once the contractor is done, an open cut sewer diversion will be constructed. The 99 Avenue shaft is planned to be opened at the end of April or in early May. Residents will be notified and the scrubbers operational before that occurs.

Phase II (Bypass Tunnel)

The shaft construction is underway, and the work is currently on schedule.

Task Force members asked Mr. Yong to look into the following concerns with construction:

- Heavy truck traffic is leaving the site at 151 Street/99 Avenue and heading west on newly constructed roads. These trucks should be diverted to roads that haven't received final paving yet.
- While a temporary wooden sidewalk along the south side of 99 Avenue from the alley to 150 Street is appreciated, it was questioned why its construction had to be so complex and time-consuming.
- It was noted people were avoiding 'sidewalk closed' signs on the southwest corner of 151 Street/99 Avenue by driving between a fence and the sidewalk, and that signage is not making it clear when the sidewalk is open.
- Residents are concerned construction will continue for many more years, particularly if West Jasper Place is the main tunnel shaft for the work to be completed along 99 Avenue into Crestwood. The City should provide a definitive answer regarding this once a game plan is finalized.

- In response to a question regarding insurance rates and sewer backup riders, it was noted that City Drainage Services has been providing information to insurers via the Insurance Bureau of Canada to educate underwriters about the condition of Edmonton's system and the significant investment the City is making in upgrading its capacity and functionality. It was advised that residents approach the [Insurance Bureau of Canada's consumer help desk](#) with specific questions or for help in finding competitive rates and options.

B. Odour Control

A continuous, real time hydrogen sulphide and carbon monoxide monitor in a cabinet with a Plexiglass front has been set up at the 99 Avenue shaft location and is currently being trialed. Mr. Yong indicated he was looking at getting the readings uploaded to a cloud based website that would allow people to see it on their computers and mobile devices wherever they are.

The injection of nitrates from an upstream pump station to the north is planned to start sometime this week. The injection of the bioxide at 99 Avenue will continue into April. The injections of the peroxide from a pump station to the south is planned to start in early April.

C. Gas Study Consultant

A consultant to study what sewer gases are present in West Jasper Place, their concentration levels and the possible impact on human health has been chosen but the contract has not been finalized. Once that is done, the consultant will be able to provide a work schedule that will be shared with the Task Force. The study with a final report will take three to four months.

5. Advanced Notice/Involvement of Task Force

Following discussion, it was agreed more material will be sent to the Task Force in advance of community meetings and, when possible, newsletters to ensure communications is clear and meets residents' information needs. Regarding the City's newsletter, the Task Force agreed one wasn't required every two weeks if new information wasn't available. However, they thought it should still be issued on a regular basis and editions not be longer than one month apart.

6. Property Tax Assessment/Relief

Councillor Knack had provided to Task Force members some information in advance of the meeting regarding possible property tax relief in consideration of years of construction in the area. While tax assessment has rigid rules regarding what is considered and what can be appealed, Councillor Knack suggested two additional pieces of information might be useful at appeal hearings: a) what a realtor feels the actual house in question might sell for, and b) noting that the construction has not been 'short-term' (a reason stated by the Assessment Appeal Board as why construction activity has no bearing on property assessment).

Regardless of whether property tax relief is provided, the Task Force felt the City could help alleviate the inconvenience somewhat by doing regular maintenance in and around the site (e.g. keeping gravel and dirt off the streets, fixing potholes, keeping the site clean, etc.).

The communique from Councillor Knack's office and sent to Task Force members is repeated here for the record and context:

A: Info received from Taxation and Assessment:

Construction activity has no bearing on property assessments because it is a short-term project that would not affect the resale value of the home.

What these citizens seem to be seeking is compensation from the City for enduring construction activity for the last few years. Challenging their property assessment will likely not result in the compensation they are seeking without proof that property sales in the area have been negatively impacted by the construction.

To prepare their case, I would recommend the citizen review the property sales in their area and determine if the sale prices are significantly lower than their assessments. This is the appropriate way to build a case for the Assessment Review Board (ARB). Sales information is available for each property owner on our (Assessment Details) [private website](#). They will need their account number and password (both of which are found on their assessment notice.)

B: An email Councillor Knack sent to a resident:

- 1) Is there any way to waive the fee to appeal? Unfortunately there is not.
- 2) Can we group the assessments together? Unfortunately no as the Assessment Review Board (ARB) is required to hear each assessment separately because while there may be similarities in an appeal, they must each be considered on their own merit.
- 3) What can be done to support the appeal of the homeowner at the Assessment Review Board? What I learned from my discussion is that the ARB is required to base their decisions on previous sales in the area. The challenge as you can imagine is that properties that are adjacent or relatively close to the construction might not be put up for sale in the first place which means there is limited evidence to change the initial assessment. While that is the way the ARB is supposed to approach it, there have been occurrences where they have been swayed by additional information in the presentation. For example, getting a Realtor's opinion on what a home would be listed at isn't supposed to affect the ARB, but the suggestion was that it is still worthwhile to present the information.

The one area that I felt would be most relevant to the appeal is through a comment that was made that construction activity has no bearing on property assessment because it is a short-term project. The key in that statement is the word short-term as an argument could be made that although there have been different projects completed over the past six years, the entire site has still been a construction zone the entire time. While this argument will not guarantee success, I think it is a worthwhile angle to approach the review.

Therefore the best submission would be the report that was discussed today at our Utility Committee meeting. To access the report, please visit this link: <http://sirepub.edmonton.ca/sirepub/mtgviewer.aspx?meetid=1582&doctype=agenda&itemid=52346>. The report will detail everything that has occurred and could help with the submission that this is no longer a 'short-term' construction project. I feel I should say that while I personally think this is worth using as part of your submission, this is not a point that is usually considered by the ARB. As mentioned above, their primary focus are actual sales data that can be accessed through this site <https://myproperty.edmonton.ca/> and using the login information on your latest assessment that was just mailed out.

7. Next meeting

As per the Task Force's request, the next meeting will be one week after the tunnel is uncapped but before the next community open house.