

Skateboard park to get \$600K overhaul

By Brock Weir

The skateboard park at the Aurora Family Leisure Complex is set for a \$600,000 overhaul to correct mistakes stemming from its construction in 2015.

Council is set to approve the project this week after giving it the tentative green light at the Committee level last Tuesday.

According to a report by Sarah Tienkamp, Manager of Parks and Fleet for the Town of Aurora, problems with the skate park became apparent almost as soon as the facility opened, with concrete surfacing failing to withstand its first winter.

Significant cracking became apparent, she said, which was chalked up to the retention of water beneath the surface, drainage issues surfaced and grading issues were identified.

The Town hired external consultants last year to investigate the skate park's rapid deterioration with an eye towards replacement and after analysing the concrete and groundwater, and carrying out strength and construction tests, 'critical deficiencies' were found.

'The skate park facility is highly utilized and will continue to pose a safety risk to users if not mitigated,' said Ms. Tienkamp. 'The cracking and delaminating of the concrete lead to an uneven and rough skate surface, increasing the risk of injury to users as skateboard wheels require a smooth level surface to travel. In addition, pooling water also poses a threat to patrons.

'Staff continue to patch and grind the concrete deficiencies, utilizing various measures and methods to help mitigate the ongoing problems and reduce risk to users. The concrete issues will persist from the frost till the water, drainage and concrete strength/reinforcement are rectified.'

When the recommendations for the repairs and reconstruction were reviewed by Council members last week, the project received near-uniform support, but questions were posed on why it had taken so long to get to this point and whether the builders, Jasper Construction, could be held to account.

Councillor John Gallo led the questions, referring to earlier discussions during the 2019 Budget Process which led to this \$600,000 price tag receiving conditional approval, where talks centred on liability to engineers for the damage that has come up.

'There is not one word identifying whether we looked at

[liability]

in 2015 when [the issues] were identified after the first winter, if we could go back to the contractors, if we could go back to the engineers,? said Councillor Gallo. ?I just can't sit here and approve \$600,000 without someone telling me we tried to go after them, someone made a mistake, something I can tell the taxpayers that I am doing my job and being responsible to them ? that at least we tried to recover something.?

According to CAO Doug Nadorozny, some of these concerns were addressed in a confidential memo given to Councillors ?to set the stage? for this item to come back to the Council table. Mr. Nadorozny noted that the contents of this memo are subject to solicitor-client privilege as legal advice was sought on pursuing damages, but the general conclusion was the Town was ?outside any reasonable hope of successfully making a claim at this stage.?

?We all received a memo outlining some of the issues, and as far as how we can move forward and the fact we can't really go after [the client],? added Mayor Tom Mrakas. ?We lapsed the time when it comes to putting forward any type of claim. We did have some issues with the construction company that did the work there. It was problematic, it led to a motion to add in liquidated damages because that was missing [from the contracts] and any contracts from the Town would also include liquidated damages unless specifically removed from Council.

?Things have changed. Last term, with these issues that cropped up, there have been changes in the Town. Our CAO has come in and has made some changes as well to ensure that things like this do not occur again. Council, I think, as a whole, is comfortable knowing that we have moved forward in a direction that allows us to make sure we are very responsible when it comes to taxpayer dollars and we ensure that every dollar that we do use in any project, it is done right and that is moving forward.

?Yes, what happened with this project is unfortunate but we have moved forward, staff have learned, our CAO has learned, he has made changes, Council made changes last term? to ensure stuff like this does not happen again. At the end of the day, this is in front of us and our choice is either we have a skateboard park or we don't. So, I think my responsibility to the residents is a lot of them use the skateboard park, it is highly used, and my responsibility is to ensure they have that service they expect to have. We are in this unfortunate predicament but I think we need to move forward at this point.?

Councillor Harold Kim, who was also on Council when the skatepark was completed, offered a similar viewpoint, stating that since the construction issues were identified, ?we have processed a good understanding of what occurred and what lapses occurred in the process, even to what personnel and what variables contributed to having these deficiencies.?

?I think there are certain things that are not meant to be discussed in the public process out of respect and out of just common sense,? said Councillor Kim. ?I think it looks great to say, ?Hey, let's have more transparency' and so forth, but I don't think that's necessary. We are the proxy, the elected officials, and that's why we have things like closed session. I am not saying it is a closed session item because it is already out there in terms of why. This report states clearly in terms of the deficiencies, the materials, the techniques, the deficiencies of the contract.?

Councillor Gallo, however, contended that the public needs more information.

?It is not comprehensive and it certainly doesn't give the nitty gritty of what Council has looked at, but I think it is important for the public to know that we, as their Council, hopefully watching their money, that we tried to go through a legal channel and we were not able to, for whatever reason,? Councillor Gallo concluded on the report. ?I think that is all they have to know, and it is a link that is missing here.?