

REGULAR MONTHLY COUNCIL MEETING

March 9, 2011

Approved Minutes

DATE: March 9, 2011
TIME: 7:30 p.m. - 8:56 p.m.
PLACE: Stratford Town Centre, 234 Shakespeare Drive

PRESENT: Deputy Mayor Gary Clow; Councillors Steve MacDonald; Diane Griffin; Emile Gallant; Randy Cooper; Steve Ogden; Robert Hughes, CAO; Jeremy Crosby, Manager Public Works and Utility; Joanne Weir, Recreation Coordinator; Kim O'Connell, Manager of Finance and Administration; Vahid Ghomoshchi, Director of Planning; Joanne Weir; Recreation Coordinator; and Mary McAskill, Recording Clerk

REGRETS: Ron Fisher, Recreation Director

CHAIR: Mayor David Dunphy

1. CALL TO ORDER

Mayor Dunphy called the Regular Monthly Council Meeting to order at 7:32 p.m. and welcomed those in attendance.

2. APPROVAL OF AGENDA

It was moved by Councillor Gallant and seconded by Councillor Clow that the agenda be approved as circulated.

3. MINUTES

It was moved by Deputy Mayor Clow and seconded by Councillor Ogden that the February 9, 2011 Regular Monthly Council Meeting Minutes be approved as circulated. It was moved by Councillor MacDonald and seconded Councillor Griffin that the February 16, 2011 Public Meeting Minutes be approved as circulated. It was moved by Councillor Cooper and seconded by Councillor Gallant that the February 23, 2011 Public Meeting Minutes be approved as circulated.

4. PRESENTATIONS FROM THE FLOOR

Nil

5. CARI REPORT

Included in the package for Council to review.

6. CORRESPONDENCE

Included in the meeting package for Council to review is a list of all correspondence received since the last Council meeting.

7. MAYOR'S REPORT

Included in the package for Council to review. Mayor Dunphy gave an overview of his report noting that since the last Council meeting he attended the following events and meetings:

- Stratford Utility rate study meeting with the consultant G.A. Isenor Consulting
 - Results Matter Corporate Strategy Session
 - Finance and Administration Committee meeting
 - Charlottetown Christian Council roundtable discussion
 - PEI Museum and Heritage Awards hosted by the Hon. Barbara Hagerman at Beaconsfield and the Town received an award for our Stratford Heroes program
- Mayor Dunphy took a moment to congratulate Councillor Diane Griffin who also won an award at the ceremony. He noted that it was a personal award and certainly well deserved
- Committee of the Whole meetings to discuss the Town's 2011 capital and operating budgets
 - Stratford Winter Carnival opening ceremonies
 - Planning and Heritage Committee meeting
 - Interviewed by CBC's Brendan Elliot regarding the Town Centre repairs

8. CHIEF ADMINISTRATIVE OFFICER

Included in the package for Council to review. Robert gave a brief overview of his report noting that the next Results Matter session is being held on Thursday, March 10 at 12:00 noon and invited councillors to attend if they are available to do so.

9. PUBLIC WORKS**a) Report**

Included in the package for Council to review. Councillor MacDonald gave a brief overview of his report noting that the Tea Hill washroom and cricket building is now 70 percent complete. The building is fully enclosed and the interior work is well underway and should be substantially complete by March 31, 2011.

It was noted that the repairs to the Town Centre are continuing. The work around the window casings on the Eastern School District side of the building is complete and the contractor is continuing with work on the exterior finish.

Councillor MacDonald noted that there is a proposal being submitted by the Active Transportation Committee for the first phase of the Trans Canada Trail. The first phase is proposed to go from the underpass near Andrews of Stratford to the business park. Further information will be brought forward regarding the construction and alignment.

It was noted that due to the amount of snow we receive this year, we will likely exceed the snow removal budget for the sidewalks. However, the contracts for the parking lots and buildings were unaffected, as they are lump sum contracts.

Councillor MacDonald noted that the sidewalk and bike path priorities are being reviewed by the committee and recommendations will be forwarded to Council. It was also noted that there have been several requests for sidewalks on Marion Drive.

Mayor Dunphy asked if there have been many reports of damage to sidewalks and Councillor MacDonald replied that we did have some complaints from residents who said the snow was being plowed onto their lawn, but this has a lot to do with the amount of snow. Jeremy added that we did have one complaint of a piece of sidewalk that was damaged by the plow, but that has since been repaired.

At this time, it was agreed that we would move item #13 - Planning and Heritage up to become Item #10.

10. PLANNING AND HERITAGE

a) Report

Included in the package for Council to review. Deputy Mayor Clow gave an overview of his report noting that a lot of what was discussed at Monday's Planning and Heritage Committee meeting will be brought forward in the resolutions that follow.

Deputy Mayor Clow noted that the committee reviewed the master transportation plan public meeting minutes of February 16, 2011 and a discussion ensued. Following the discussion the committee made a recommendation that a meeting be set up with the consultant, the Minister or Deputy Minister of Transportation and Infrastructure Renewal, MLA's, Council, planning board, and staff to review all the comments that were made at the public meeting and hopefully get this issue resolved.

Mayor Dunphy noted that at the meeting there were a few points regarding the issue of parkland dedication and he would like the committee to look at this whole issue again and bring back a recommendation to Council, and Deputy Mayor Clow stated that he will add it to his next agenda.

b) Permit Summary

Included in the package for Council to review.

c) Resolution PH003-2011 - DP005-11 Karbrennel's Company Inc. - Stratford Quick Stop

**Moved by Deputy Mayor Clow
Seconded by Councillor Ogden**

WHEREAS an application has been received from Karbrennel's Company Inc, to develop a Petroleum outlet (Stratford Quick Stop) on the corner of Shakespeare Drive

/ Jubilee Road and the TCH. The land is located in the Town's Core Area and zoned TCR (Town Centre Commercial); and

WHEREAS the development proposal includes a Gas Station, convenience store, a drive-thru coffee shop and a drive thru ATM service; and

WHEREAS according to the Town's development bylaw a Service Stations fall under the special permitted uses within the TCR.

WHEREAS a public meeting was held on February 23, 2011 which was well attended and a few questions were asked from the public regarding the service station application.

BE IT RESOLVED that approval be granted to the proposed application submitted by Karbrennel's Company Inc., subject to the following conditions:

- i) That comments and/or approvals shall be received from the following:
 - (1) Department of Transportation and Infrastructure Renewal
 - (2) Department of Environment, Energy and Forestry
- ii) That a stormwater management plan be designed by a qualified engineer and submitted for review by the Town.
- iii) Conformance with the conceptual drawings as attached to the application submitted to the Town.
- iv) That a Building Code Design Certificate be submitted from the Architect and/or Engineer.
- v) That a Certificate of Compliance be submitted from the Architect and/or Engineer upon building construction completion.
- vi) All other relative provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw are satisfied prior to obtaining a Development Permit.

Discussion: It was noted that this resolution bears the recommendation of the Planning and Heritage Committee.

Question: **CARRIED**

d) Resolution PH004-2011 - Building Bylaw #32 - 1st Reading

Moved by Deputy Mayor Clow

Seconded by Councillor Diane Griffin

WHEREAS Town of Stratford is committed to provide building inspection services in order to enhance public safety and protect Stratford residents' right to live and work in a safe and quality building; and

WHEREAS the draft of the Town's proposed "Building Bylaw" presented to residents, developers, and builders on the public meeting was held on February 16, 2011; and

WHEREAS no negative feedback or issues have been received during and/or after the public meeting; and

WHEREAS the draft of the bylaw has been reviewed by the Town's lawyer; and

WHEREAS the "National Building Code of Canada-2010" would be adopted as schedule to the Town's building bylaw.

BE IT RESOLVED that Bylaw #32 Building Bylaw be hereby read and approved a first time.

Discussion: It was noted that this resolution bears the recommendation of the Planning and Heritage Committee.

Question: **CARRIED**

e) **Resolution PH005-2011 - Call to Public Meeting - Amendments to Development Bylaw #29**

Moved by Deputy Mayor Clow

Seconded by Councillor Ogden

WHEREAS the new Town's Building Bylaw #32 was read a first time by Council on March 9, 2011; and

WHEREAS in order to make the existing Development Bylaw # 29 and the new "Building Bylaw" #32 consistent and remove any conflicts or disharmony; and

WHEREAS in order to make current Development Bylaw #29 more efficient and clear some minor corrections and technical alterations are needed.

BE IT RESOLVED that pursuant to section 24.2 of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw, a public meeting will be held on April 6, 2011 to solicit input from residents on the proposed amendments to Bylaw #29.

Discussion: It was noted that this resolution bears the recommendation of the Planning and Heritage Committee.

Vahid explained that this meeting is to solicit input from residents on the proposed amendments to Development Bylaw #29. These amendments are being proposed in order to make the development bylaw and the new

building bylaw work together by removing any inconsistencies. Robert added that the purpose is to make the process seamless for the person applying for a permit.

Question: **CARRIED**

f) Resolution PH006-2011 - Bevan's Subdivision, Kinlock Road - Revision to Preliminary Approval

Moved by Deputy Mayor Clow

Seconded by Gallant

WHEREAS on August 2010 Council granted preliminary approval to the Trevor Bevan application to subdivide the land part of parcels No 613315 and No. 720458 and No 721480 and a part of parcel No.410662 located in Kinlock Road and build 2 Single Family Dwellings and 4 Semi-Detached duplexes; and

WHEREAS the developer has presented a letter to the Town stating that since the new estimation of construction costs of roads, sewer and water is almost double the original one (\$100,000 to \$200,000), the project is not feasible; and

WHEREAS the developer is requesting to amend the preliminary approval proposing to consolidate lots No. 5 and 6 and develop a 6 unit townhouses in a new lot instead of two Semi-Detached dwelling in the preliminary plan; and

WHEREAS according to Section 10.2 Development Bylaw Town Houses categorized as "Conditional Uses."

BE IT RESOLVED that preliminary approval is granted to Trevor Bevan to amend the approved preliminary plan of the proposed subdivision to consolidate lots no. 4 and 5 and build 2 Single Family Dwellings, 2 Semi-Detached duplexes and one 6 unit Town-House.

Discussion: It was noted that this resolution does not bear the recommendation of the Planning and Heritage Committee.

Vahid explained the request with the aid of an overhead projector. He noted that this is an established neighbourhood with a number of single family dwellings and a few duplexes. Deputy Mayor Clow noted that the committee looked at the request and because 99 percent of the homes in the area are single family dwellings they felt that a townhouse was not a good fit for the area. The committee also had concerns that there was no parkland in the area.

Councillor Griffin wanted to note that the *Diane Griffin* noted on the property map is another Diane Griffin, so there is no conflict of interest regarding this request.

Question: **DENIED**

11. STRATFORD UTILITY CORPORATION

a) Report

Included in the package for Council to review. Councillor Ogden gave a brief overview of his report noting that a meeting was held on February 10, 2011, to review the draft report of the sewer and water rate study model. This was also an opportunity for the consultant to get some additional information to enhance the model. The information requested is being collected and will be forwarded to the consultant. Once the new information is incorporated into the study there will be a formal presentation to Council.

Councillor Ogden noted that the 2011 operational and capital budgets were reviewed and the board made a recommendation that both budgets be approved as presented.

The prioritization list of sewer and water projects will be reviewed and updated to determine the highest needs in preparation of future infrastructure funding when it becomes available.

Councillor Ogden noted that there have been some calls from the general public regarding snow clearing around fire hydrants. It was explained that not all hydrants within the Town are available for firefighting, and therefore it is not a priority to have the snow cleared around them. The water system in the Town is still in the initial stages of development, and the majority of the hydrants are currently used for spring and fall flushing. The Cross Roads Fire Department uses tanker trucks to transport the water required for fire fighting under a system called superior tank shuttle service. As the water system is further developed, all hydrants will be available for fire fighting purposes and the snow will be cleared from the hydrant after each snow fall.

Mayor Dunphy asked if there was any discussion during the rate study regarding the amount of frontage people pay, and Jeremy replied this issue was not discussed noting that the main discussion had to do with metering.

b) Resolution SUC004-2011 - Adoption of the 2011 Utility Operating Budget

Moved by Councillor Ogden

Seconded by Councillor Gallant

WHEREAS the utility corporation needs to run a surplus to cover the principal payments because the depreciation revenue is not sufficient to generate the required revenue.

BE IT RESOLVED that the attached 2011 Stratford Utility Corporation operating budget be approved as follows:

	Combined
Revenue	\$1,621,200
Expenses	\$1,450,300
Surplus (Deficit)	\$170,900

Discussion: It was noted that this resolution bears the recommendation of the Stratford Utility Corporation, the Finance Committee, and the Committee of the Whole.

Question: **CARRIED**

c) **Resolution SUC005-2011 - Adoption of the 2011 Utility Capital Budget**

Moved by Councillor Ogden

Seconded by Councillor MacDonald

BE IT RESOLVED that the attached 2011 Stratford Utility Corporation Capital Budget be approved with total capital expenditures of \$2,379,500.

Discussion: It was noted that this resolution bears the recommendation of the Stratford Utility Corporation, the Finance Committee, and the Committee of the Whole.

Question: **CARRIED**

12. RECREATION AND ENVIRONMENT

a) Report

Included in the package for Council to review. Councillor Griffin stated that the recreation and environment department has been quite busy and this facility is being fully utilized. She noted that the winter carnival was a fantastic event. More than 400 people attended the multicultural 'Celebration of Life' event. Councillor Ogden noted that staff did a great job, especially with the challenge of the bad weather. Mayor Dunphy agreed and also thanked the staff and the Events Committee for all their hard work.

It was noted that the Stratford Minor Basketball Association will be hosting their Annual Jamboree March 12 and 13 at the Stratford Town Centre and Glen Stewart School, and teams will be traveling to Stratford from all over the Island.

The fitness class at Glen Stewart School continues on Mondays and Wednesdays and this class is for anyone from beginner to expert.

The youth drop-in centre for grades five and six continues to be active with 40 to 50 participants attending on a regular basis.

Mayor Dunphy asked about the plans for Earth Hour and Councillor Griffin replied that she will have to get back to him with the details.

13. **FINANCE AND ADMINISTRATION**

a) Report

Included in the package for Council to review. Councillor Cooper gave a brief overview of his report noting that in addition to the minutes of February 14 that are in the package, there was a special meeting on March 1 to discuss the budget. Councillor Cooper took a moment to thank both Council and staff for the many hours they spent revamping the budget.

b) Resolution FA001-2011 - Adoption of the 2011 Town Operating Budget

Moved by Councillor Cooper

Seconded by Deputy Mayor Clow

WHEREAS the Town adopted a new Tangible Capital Asset Policy in response to new Public Sector Accounting Board guidelines that requires municipalities to report Tangible Capital Assets on their statement of financial position (i.e. Balance Sheet) effective January 1, 2009 and that Tangible Capital Assets be amortized on the Statement of Operations (i.e. Income Statement); and

WHEREAS this resulted in a significant reduction in the Town's depreciation expense based on the revised useful life attributed to the assets; and

WHEREAS the amount required to cover the principal payments on the Town's loans exceeds the depreciation expense by \$123,000 and a significant surplus is required to allow the Town to make the principal payments.

BE IT RESOLVED that the attached 2011 Operating Budget be approved as follows in

accordance with the attached revenue and expense tables:

REVENUE

Total Revenue	\$ 3,920,600
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EXPENDITURES

Total Expenditures	\$ 3,797,400
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Surplus (Deficit)	\$ 123,200
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BE IT FURTHER RESOLVED that the non-commercial municipal tax rate be set at \$0.44 per \$100 of assessment for 2011.

BE IT FURTHER RESOLVED that the commercial municipal tax rate be set at \$0.99 per \$100 of assessment.

Discussion: It was noted that this resolution bears the recommendation of the Finance and Administration Committee and the Committee of the Whole.

Mayor Dunphy thanked Councillor Cooper and the Finance Committee for all their hard work in drafting the budget.

Question: **CARRIED**

c) Resolution FA002-2011 - Adoption of the 2011 Capital Budget

Moved by Councillor Cooper

Seconded by Councillor MacDonald

BE IT RESOLVED that the attached 2011 Capital Budget be approved in the amount of \$1,714,500 less New Deal funding of \$1,000,000, less Island Community Fund and RINC funding of \$278,000 for a net Town Capital Budget of \$436,500.

Discussion: It was noted that this resolution bears the recommendation of the Finance and Administration Committee and the Committee of the Whole.

Question: **CARRIED**

d) Resolution FA003-2011 - Pownal Sports Centre

Moved by Councillor Cooper

Seconded by Councillor Ogden

WHEREAS the Town of Stratford has been providing a financial grant to the Pownal Sports Centre annually due to the number of Stratford residents that use this facility; and

WHEREAS a request for a financial contribution was received from the Pownal Sports Centre looking for an annual contribution of \$45,000 for a three year period to help bring stability to their operating expenses and enable the Pownal Sports Centre to do some long range planning; and

WHEREAS the Town of Stratford has provided an annual grant to the Pownal Sports Centre in the amount of \$32,000 for 2008 and 2009, and \$34,000 in 2010. The Finance Committee felt a change to \$45,000 was too much, especially since the financial request came late in the budget process for 2011. The Finance Committee suggested committing to a grant of \$40,000 for 2011, \$42,000 for 2012, and \$45,000 for 2013.

BE IT RESOLVED that a financial contribution be given to the Pownal Sports Centre for the following amounts:

- \$40,000 for 2011
- \$42,000 for 2012
- \$45,000 for 2013

Discussion: It was noted that this resolution bears the recommendation of the Finance and Administration Committee.

Councillor Griffin stated that she will be voting against the motion. She added that she does not have a problem with the wonderful program being put on at the Pownal Sports Centre. However, this request did come late in the budget process, as was acknowledged by Councillor Cooper. Councillor Griffin stated that while she is content to give a grant for the current budget, the budget we just passed this evening, she is not content to approve the budgets for 2012 and 2013 without Pownal coming back with a more detailed proposal and at an earlier date in our budget process. There is great work being done, but there is a problem with timing and the submission of information.

Councillor Gallant stated that he agrees with Councillor Griffin and he will not be voting for the resolution. Councillor Gallant stated that he does support this year's contribution of \$40,000, and he likes the concept of a three year plan, but he feels it was a little rushed and would like to look at a three year plan next year.

Councillor MacDonald stated that he fully supports the three year plan. Councillor Cooper stated that he is also in full support of it. He noted that Stratford makes up about 60 percent of the participants of the Pownal Sports Centre and recreation and healthy living are very important to the Town.

Mayor Dunphy stated that the original request was for \$45,000 and he feels the Finance Committee came up with a good compromise.

Councillor Ogden stated that he will also be supporting the three year commitment. Deputy Mayor Clow stated that he also supports the three year commitment.

Question: **CARRIED** (2 Against - Councillors Gallant and Griffin)

14. COMMITTEE OF THE WHOLE

Nil

15. SAFETY SERVICES

a) Report

Included in the package. Councillor Gallant stated that the Safety Services Committee has formed a Traffic Safety Sub-Committee and they will hold their first meeting on March 14. He noted that the sub-committee will hold three or four meetings and solicit input from the public. The findings will be brought back to Safety Services Committee and a recommendation can then be made to Council. Councillor Ogden noted that the complaints he has received on speeding are mainly on the collector roads and Councillor Gallant noted that the sub-committee will be addressing this issue.

The 'crow issue' was discussed and Councillor Clow stated that last year there were major problems and he is glad that the committee is dealing with this issue. Mayor Dunphy stated that he would like to be advised when the committee meets with the land owners, as he would like to attend those meetings.

b) Street Light Report

No Report

c) RCMP Report

The RCMP report for the month of February was included in the package.

d) Humane Society Report

No Report

e) Transit Report

Included in the package. It was noted that the numbers were down in January and February, but it was felt that this was due to the number of storm days and closures.

f) Fire Company Report

No Report

16. ECONOMIC DEVELOPMENT**a) Report**

Included in the package for Council to review. Mayor Dunphy noted that the committee discussed some marketing initiatives and Doug Deacon is working to develop a marketing strategy to promote the Town. Another issue discussed was targeted sector identification to try and identify businesses that might be a good fit for the Town.

Mayor Dunphy noted that as a Town we should also be having an on-going dialogue with the premier, cabinet ministers, and ACOA.

Councillor Ogden asked if the provincial museum was discussed and Mayor Dunphy replied that we didn't talk at length on the issue, but it was discussed.

Councillor Cooper reiterated his comments made at the pre-budget consultation meeting noting that if the federal government builds the museum and the province maintains it, the Town would likely be able to find a piece of property for it.

17. HUMAN RESOURCES

No Report

18. OTHER COMMITTEES**a) Stratford Seniors Complex**

Report is included in the package for Council to review. Councillor MacDonald noted that Dave Rossiter from the Provincial Fire Marshall's office attended the last meeting and explained the duties we need to carry out to meet the fire code. Mr. Rossiter will be sending a package of information that can be circulated to the residents. He also suggested that we contact the Cross Roads Fire Department to do a walk through of the complex so they can become familiar with it.

It was noted that on February 14 there was an informal gathering at the complex with CMHC announcing the projects that had received funding.

19. PROCLAMATIONS

Nil

20. OTHER BUSINESS

Councillor Ogden noted that Bus Gay had asked him to bring forth a few items he is working on. The first one is an idea for a right turn lane at the Esso. Mr. Gay advised that he has discussed this with a provincial engineer and has received good feedback. He also discussed some ideas he has for resolving the Mason Road intersection issue. Councillor Ogden noted that Mr. Gay should be commended for all his efforts on behalf of the Town.

21. ADJOURNMENT

There being no further business the meeting adjourned at 8:56 p.m.