REGULAR MONTHLY COUNCIL MEETING
August 11, 2010
Approved Minutes

DATE: August 11, 2010
TIME: 4:30 p.m. - 5:40 p.m.
PLACE: Stratford Town Centre, 234 Shakespeare Drive

PRESENT: Deputy Mayor Sandy McMillan; Councillors Steve MacDonald; Diane Griffin; Emile Gallant; Gary Clow; Patrick Ross; Jeremy Crosby, Manager Public Works and Utility; Vahid Ghomoshchi, Director of Planning; and Mary McAskill, Recording Clerk

REGRETS: Robert Hughes, CAO; Ron Fisher, Recreation Director; and Kim O'Connell, Manager of Finance and Administration

CHAIR: Mayor Kevin Jenkins

1. CALL TO ORDER
Mayor Kevin Jenkins called the August 11, 2010 Regular Monthly Council Meeting to order at 4:30 p.m. and welcomed those in attendance.

2. APPROVAL OF AGENDA
It was moved by Councillor MacDonald and seconded by Councillor Griffin that the agenda be approved as circulated.

Discussion: None
Question: **CARRIED**

3. MINUTES
It was moved by Councillor Clow and seconded by Councillor Griffin that the Regular Monthly Meeting Minutes of July 14, 2010 and the Special Council Meeting Minutes of July 28, 2010 be approved as circulated.

Discussion: None
Question: **CARRIED**

4. PRESENTATIONS
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 Jenkins gave a brief overview noting that he and Deputy Mayor McMillan attended the US Ambassador's reception on Monday, August 9 at the Confederation Centre's Memorial Hall.

8. CHIEF ADMINISTRATIVE OFFICER

No report.

9. PUBLIC WORKS AND PROPERTY

Councillor Griffin gave a verbal report noting that as a consequence of installing the sidewalks on the Keppoch Road there were some adjustments to the driveways that caused problems. She noted that we have been meeting with our consultants and the owners of properties to address the issue.

Councillor Griffin stated that the architect is in the process of preparing the tender documents for the Tea Hill washroom building, and we hope to have the tender out by the end of the month.

The Kinlock Creek trail construction project has been tendered and the deadline is August 12 at 12:00 noon. Construction is scheduled to begin by the end of August and should be completed by the end of September.

It was noted that repairs were required to certain portions of the Kinlock Road sidewalks. Some driveways were heaving due to thermal expansion within the concrete panels. Councillor Griffin noted that this is unusual but the sidewalks did meet our specifications, so we will look at how to prevent this from happening in the future.

b) Resolution PW005-2010 Adoption of the Active Transportation Plan

Moved by Councillor Diane Griffin
Seconded by Deputy Mayor Sandy McMillan

WHEREAS an Active Transportation Plan was completed by Collaborative Planning and Design for the Town of Stratford; and

WHEREAS this plans has been reviewed by the Active Transportation Committee, Council and the Public Works and Property Committee at meetings held between May and July of 2010.

BE IT RESOLVED that Council adopt the Active Transportation Plan.

BE IT FURTHER RESOLVED that council give charge to the Active Transportation Committee to come up with an implementation plan with prioritization on the areas of activity to be presented to Council at a later date.

Discussion: It was noted that this resolution bears the recommendation of the Public Works and Property Committee.

Councillor Griffin stated that she is very pleased that we have reached this stage, as there has been a lot of time spent putting together this document.

Question: **CARRIED**

10. <u>STRATFORD UTILITY CORPORATION</u>

a) Report

Included in the package for Council to review. Deputy Mayor McMillan gave a brief overview of the report.

Wellfield Exploration

It was noted that we received the first appraisal on the Hooper property where we have been drilling and a copy was forwarded to Hoopers'. We will be doing further wellfield development starting on August 23, and we hope that the wells will be fully tested and assessed by the end of September. Deputy Mayor McMillan added that there will be ongoing testing and stream monitoring throughout the winter months.

Water/Sewer Projects

The Glencove/Rodgerson water project is approximately 80% complete and the watermain has been installed in Glencove. They are continuing to install watermain on Rodgerson and testing has started on the installed watermain within the Glencove subdivision. I

Lantz Subdivision sewer/water project - 70% of the sewer main and 50% of the water main have been installed.

Islesview Drive - sewer and water have been fully completed on Isleview Drive and the majority of the underground boring for the services has been completed and they are in the process of installing water on Dorothy Avenue.

Deputy Mayor McMillan noted that the Sundance Cove project is substantially complete, but there are several areas where landscaping deficiencies need to be addressed.

b) Financial Statements

Included in the package for Council to review.

c) **<u>Resolution SUC005-2010 Amendment to Bylaw #21, Water and Sewer Customer Service Regulations Bylaw - 1st Reading</u>**

Moved by Deputy Mayor Sandy McMillan
Seconded by Councillor Steve MacDonald

WHEREAS section 71 (Fire Rated Water Supply Capital Contribution) of the Stratford Utility Corporation Customer Service Regulations Bylaw, Bylaw #21, states:

" All customers who connect to the utility's water system to service a sprinkler system shall be subject to a one time non-recurring capital contribution charge as set out in Schedule A to this bylaw."

AND WHEREAS the Utility wishes to eliminate the non-recurring capital contribution charge in favor of a tariff as per section 64 of the Stratford Utility Corporation Customer Service Regulations Bylaw, Bylaw #21.

BE IT RESOLVED that the attached Bylaw, Bylaw #21-E, a Bylaw to amend the Stratford Utility Corporation Customer Service Regulations Bylaw, Bylaw #21, be hereby read and approved a first time.

Discussion: It was noted that this resolution bears the recommendation of the Stratford Utility Board.

Councillor Griffin asked if a customer paid a capital contribution in the past would they have to pay a tariff as well, and Jeremy replied that he believes that they would not, but he will check with the finance department for confirmation and get back to Councillor Griffin.

Question: **CARRIED**

a) **<u>Resolution SUC006-2010 Baker/Bagnall/Eastlink Subdivision Servicing</u>**

Moved by Deputy Mayor Sandy McMillan
Seconded by Councillor Diane Griffin

WHEREAS the Strawberry Hill property and Baker property require a lift station in order to service the area with sewer: and

WHEREAS it is more cost effective and efficient for the Utility and the Baker/Bagnall/Eastlink Group to have one sewage lift station constructed on the Baker property to service both areas; and

WHEREAS Gordon MacPherson, the developer of Strawberry Hill Phase II Subdivision has also agreed to provide the amount allocated for the original lift station to be applied to the lift station in its new location; and

WHEREAS the Baker/Bagnall/Eastlink group has requested that the Utility agree to finance the additional cost of $125,000 in order to locate the lift station on the Baker property.

BE IT RESOLVED that a supplementary capital budget in the amount of $125,000 be approved for the additional amount to install the lift station on the Baker property - subject to the Baker/Bagnall/Eastlink Group entering into an agreement with the Utility; and

BE IT FURTHER RESOLVED that the Utility has agreed to finance the $125,000 for the first five years interest free. The $125,000 is to be paid back in full at the time of development of the land. If the land is not developed within a five year period, the land owners will also be required to pay back any interest that accumulated beyond this point.

Discussion: It was noted that this resolution bears the recommendation of the Stratford Utility Board.

Question: **CARRIED**

11. RECREATION REPORT

a) Report

A complete written report was included in the package for Council to review.

b) Resolution RC003-2010 Recreational Infrastructure Improvements - Cricket Field

Moved by Councillor Steve MacDonald
Seconded by Councillor Gary Clow

WHEREAS the Town of Stratford owns and operates parks, playing fields and facilities which are available to the public for their use; and

WHEREAS the Stratford Recreation Commission has identified areas of improvement required for parks, playing fields and facilities in 2010; and

WHEREAS the areas of improvements include excavation and construction of a new cricket field at Tea Hill Park, and the purchase of a scoreboard and roller in partnership with our local cricket club; and

WHEREAS total costs of upgrading and renewal of cricket facilities are expected to be $175,000; and

WHEREAS total costs are to be cost shared between the Town of Stratford, federal and provincial governments and the Stratford Cricket Club.

BE IT RESOLVED that an application for funding to the Atlantic Canada Opportunities Agency's Recreational Infrastructure Canada (RinC) Program, and the Island Community Fund in the amount of $175,000 to upgrade and renew facilities as aforementioned, be hereby approved with the Town's $10,000 share of the funding to come from the Town's Capital Supplementary Budget and/or Parks Capital Reserve Fund.

Discussion: It was noted that this resolution bears the recommendation of the Recreation Commission.

It was agreed that an amendment be made to the last paragraph to remove the word *supplementary*, as this will be included in the 2011 budget.

Amendment ***BE IT RESOLVED*** that an application for funding to the Atlantic Canada Opportunities Agency's Recreational Infrastructure Canada (RinC) Program, and the Island Community Fund in the amount of $175,000 to upgrade and renew facilities as aforementioned, be hereby approved with the Town's $10,000 share of the funding to come from the Town's Capital Supplementary Budget and/or Parks Capital Reserve Fund.

Will now read -

BE IT RESOLVED that an application for funding to the Atlantic Canada Opportunities Agency's Recreational Infrastructure Canada (RinC) Program, and the Island Community Fund in the amount of $175,000 to upgrade and renew facilities as aforementioned, be hereby approved with the Town's $10,000 share of the funding to come from the Town's Capital Budget and/or Parks Capital Reserve Fund.

Question: **CARRIED (as amended)**

c) **Resolution RC004-2010 Recreational Infrastructure Improvements - Soccer Field**

Moved by Councillor Steve MacDonald
Seconded by Councillor Patrick Ross

WHEREAS the Town of Stratford owns and operates parks, playing fields and facilities which are available to the public for their use; and

WHEREAS the Stratford Recreation Commission has identified areas of improvement required for parks, playing fields and facilities in 2010; and

WHEREAS the areas of improvements include excavation and construction of a new soccer field and the purchase of a set of bleachers and nets; and

WHEREAS total costs of upgrading and renewal of cricket facilities are expected to be $114,600; and

WHEREAS total costs are to be cost shared between the Town of Stratford, federal and provincial governments.

BE IT RESOLVED that an application for funding to the Atlantic Canada Opportunities Agency's Recreational Infrastructure Canada (RinC) Program, and the Island Community Fund in the amount of $114,600 to construct a new facility as aforementioned, be hereby approved with the Town's $30,365 share of the funding to come from the Town's Capital Supplementary budget and/or Parks Capital Reserve Fund.

Discussion: It was noted that this resolution bears the recommendation of the Recreation Commission.

Councillor Ross asked where the new soccer field will be located and Councillor MacDonald replied that once we have the funding in place a site will be identified. Mayor Jenkins asked if a drawing could be brought back to the next meeting showing a proposed location.

Councillor Ross asked about the supplementary budget - asking is this was discussed at a Committee of the Whole meeting noting that it was not discussed at a finance meeting. Councillor MacDonald stated that it would be coming out of next year's budget.

Councillor Gallant asked if this motion is for the building or the soccer fields and Mayor Jenkins replied that it is for the soccer fields.

Councillor Ross wanted to clarify the sentence that reads *from the Town's Capital supplementary budget and/or Parks Capital Reserve Fund.* It was noted that the word *supplementary* should be removed, as it will be included in the 2011 budget.

Amendment ***BE IT RESOLVED*** that an application for funding to the Atlantic Canada Opportunities Agency's Recreational Infrastructure Canada (RinC) Program, and the Island Community Fund in the amount of

$114,600 to construct a new facility as aforementioned, be hereby approved with the Town's $30,365 share of the funding to come from the Town's Capital Supplementary budget and/or Parks Capital Reserve Fund.

Will now read -

BE IT RESOLVED that an application for funding to the Atlantic Canada Opportunities Agency's Recreational Infrastructure Canada (RinC) Program, and the Island Community Fund in the amount of $114,600 to construct a new facility as aforementioned, be hereby approved with the Town's $30,365 share of the funding to come from the Town's Capital budget and/or Parks Capital Reserve Fund.

Question **CARRIED (as amended)**

12. <u>FINANCE & ADMINISTRATION</u>

a) Report

Included in the package for Council to review. Councillor Ross gave a brief overview of the report noting that we received a request for the Aids Walk, but according to our policy we could not give a donation because the event is not being held in the Town. However, we will be sending a letter suggesting that they hold it in the Town next year and we would certainly be willing to support them not only financially, but with in-kind services as well.

Councillor Ross stated that there were subcommittees struck to review the insurance tender and the photocopier tender. He noted that the successful bidder for the photocopiers was Xerox and the successful bidder for insurance was Cooke Insurance.

b) Financial Statements

Included in the package.

Councillor Ross noted that we have had a few items come in under budget such as street lights. However, he noted that this can change before year end.

Mayor Jenkins stated that there is one point of clarification he would like to note. In #6 of the finance report it states that the mayor does not like to see a large surplus at the end of the year. Mayor Jenkins stated that he does, in fact, like to see a large surplus at the end of the year, but only if that surplus is forecast well in advance to allow Council some options.

13. <u>PLANNING AND HERITAGE</u>

a) Report

Included in the package for Council to review.

b) Permit Summary

Included in the package.

c) <u>Resolution PH019-2010 - Trevor Bevan 6 Lot Subdivision - Kinlock Road</u>

Moved by Councillor Gary Clow
Seconded by Deputy Mayor McMillan

WHEREAS an application has been received from Trevor Bevan to subdivide a land part of parcels No. 613315, 720458,721480 and a strip of parcel No.410662; and

WHEREAS the total area of the proposed land is 2.8 acres (Approximately) which is zoned Two Family Residential (R2) and located on the Kinlock Road; and

WHEREAS the developer proposes to build two Single Family and four Semi-Detached Dwellings; and

WHEREAS the proposed concept plan dedicates a Cul-de-Sac as an open space with almost 0.14 acres in area (Approx. 5 percent of the total land area); and

WHEREAS Section 10.2 Development Bylaw allows a developer to build semi-detached dwellings in R2 zone up to 20% of number of dwellings in a block. Considering the existing and future dwellings after the proposed development, there will exist 6 semi-detached in 38 units (in total)which is almost 15.7 percent of total dwellings in the block (less than 20 percent);

BE IT RESOLVED that preliminary approval be granted to Trevor Bevan's application to subdivide the proposed land and build two Single Family and four Semi-Detached dwellings subject to the following conditions:

i. Conformance with the Proposed subdivision Plan, drafted by Delta Surveys, DWG. No.PD-10-160 dated on July 13, 2010.

ii. All other relative provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw must be satisfied prior to obtaining a formal preliminary approval.

Discussion: It was noted that this resolution bears the recommendation of the Planning and Heritage Committee. The planning director demonstrated the request with the aid of an overhead projector.

Councillor Ross asked when parkland is being discussed does the recreation department participate, and Councillor MacDonald replied that the recreation director speaks with the planning board and they work together in that way. Councillor Ross stated that when we receive cash in lieu, we could use the money to do upgrades to other parks in the area - if this is not already being done. Councillor Gallant noted that our policy has always been to use the cash in lieu to upgrade neighbouring parks.

There was some discussion regarding the amount of cash in lieu being offered and Councillor Ross noted that cash in lieu is normally 10%, but in this particular instance they are offering just 5%. Deputy Mayor McMillan noted that there is a significant piece of roadway being constructed at an above average cost and this gives value to the community. Mayor Jenkins stated that we have to be sure we are fair to all subdivision developers, and Councillor Ross and Councillor Griffin agreed that we need to be consistent. Councillor Ross stated that we have a policy in place, but if we are going to take into account significant cost and risk to the developer - as in this case, we should have something in writing that states this reduces the amount of cash in lieu.

Councillor Clow stated that we have a recommendation from the planning committee, and now it is up to us to decide if we accept the recommendation. Deputy Mayor McMillan added that we legally have the latitude to go from 1% to 10%. Councillor Griffin noted that we had a discussion recently about another property and we did go for less than 10%, but we certainly went for more than 5%. She added that as Councillor Ross stated there is no criteria in the policy, and for this reason she is concerned about consistency. Vahid noted that the in the case that Councillor Griffin is referring to there was only a subdivision of land and no development.

Question: **CARRIED (2 Against - Councillor Ross and Councillor Griffin)**

d) <u>Resolution PH020-2010 - Call to Public Meeting on Sustainable Subdivision Policy</u>

Moved by Councillor Gary Clow
Seconded by Councillor Diane Griffin

WHEREAS the Town of Stratford continues to achieve its sustainability goals and objectives; and

WHEREAS the Sustainable Subdivision Policy and Bylaw aims to preserve the natural environment and ecology; improve social amenities and cultural inclusion; increase energy and water efficiency; improve the Town's active and public transportation networks and reduce the cost of building and maintaining the Town's infrastructure systems; and

WHEREAS this document has been reviewed by Town managers, staff and the Planning & Heritage Committee.

BE IT RESOLVED that Council hold a public meeting on August 25, 2010 to solicit input from residents on the draft of the Sustainable Subdivision Policy and Bylaw.

Discussion: This resolution bears the recommendation of the Planning and Heritage Committee.
Question: **CARRIED**

14. <u>COMMITTEE OF THE WHOLE</u>

a) Use of Town Centre by Candidates in the Upcoming Election

Mayor Jenkins noted that we had a discussion at the Committee of the Whole that any candidate (new or an existing member of Council) wishing to declare themselves for the upcoming election would have an opportunity to book the Town Centre for such announcements.

b) <u>Resolution CW008-2010 - Request for an Extension on the Response Time to Expressions of Interest re Bayfield/Jayne Property</u>

Moved by Deputy Mayor Sandy McMillan
Seconded by Councillor Diane Griffin

WHEREAS the Bayfield – Jaynes property, located at 42 Owen Lane, constructed in 1850, a Provincially designated (pending) heritage property, is recognized as one of the two most significant built heritage cultural assets in our Town, due in part to its age, quality of structure and its provenance being attributed to both the internationally renowned hydrographer, Admiral Henry Wolsey Bayfield, and Dr. Julian Jaynes, Professor of Psychology at Princeton University; and

WHEREAS the present owners of the property, the PEI Museum and Heritage Foundation has determined that the ongoing operation and maintenance budget for the property is unsupportable and has therefore decided to de-accession the property, publically calling for requests for proposals for the property, to be submitted to the PEIMHF on or before 2:00 p.m. Friday, August 13, 2010; and

WHEREAS the Town of Stratford's Official Plan states under Parks and Recreation, Policy PP-1: General: that the Town is to develop a Master Plan and further that "The Master Plan shall address measures to maintain and where possible increase public access to the shoreline," and the Bayfield – Jaynes property includes a 3.89 acre parcel of land adjacent to the shoreline of Keppoch Beach; and

WHEREAS the Official Plan describes heritage as an important element in the make-up of our community as it provides residents with a "sense of place," and it further states "the time has come to recognize and to put more emphasis on the heritage resources within the Town."

AND WHEREAS the Stratford Heritage Committee feels strongly, given the relatively small number of built heritage resources in our community, that it is vital to preserve the Bayfield – Jaynes property for our residents' enjoyment, use and appreciation of their `sense of place,' and has urged the Planning Committee and Town Council to explore all reasonable avenues necessary to ensure the property remains in the public domain; and

WHEREAS Stratford's commitment to seek a solution which ensures the property remains in the public domain and operates in a sustainable mode cannot be reasonably undertaken in a three or four week period. In order to responsibly carry out our due diligence we will require an estimated eight (8) month period in which to make the public familiar with the property, assess their interest/support level, look for ways to mitigate the property's zoning and assess deficiencies, identify uses, and seek funding sources both private and public.

BE IT RESOLVED that the Town of Stratford respond to the PEI Museum and Heritage Foundation's call for expressions of interest in the Bayfield – Jaynes Property, located at 42 Owen Lane, with a request for an eight (8) month extension for the RFP reply period, in order for the Town to responsibly carry out its due diligence to assess public interest/support levels and determine capital and operational costs associated with acquisition of the property.

Discussion: This resolution bears the recommendation of the Committee of the Whole. Councillor Griffin noted that there was an inconsistency in the deadline date on the rfp and we need to ask the Museum and Heritage Foundation for clarification by email or telephone, so we have the official word on the correct date.

Mayor Jenkins stated that he wanted to make it clear that we are not purchasing the property, or proposing to purchase the property. What we are doing is asking for an extension of eight months to do our due diligence to see if there is an opportunity for acquisition and use by the Town.

Question: **CARRIED**

15. SAFETY SERVICES AND ENVIRONMENT

a) Report

Included in the package for Council to review.

b) Street Light Report

No Report

c) RCMP Report

The RCMP report for the month of July was included in the meeting package for Council to review.

Deputy Mayor McMillan noted that she spoke to a resident who is concerned with the number of breakins that are occurring in the Town. Councillor Gallant stated that the RCMP will be attending the next Safety Services meeting to discuss the issue.

d) Humane Society Report

The Humane Society report for the month of July was included in the package for Council to review.

e) Fire Company

No Report.

f) Transit Report

Included in the package. Councillor Gallant stated that July and August are usually the slower months, however, this year we have see an increase.

Councillor Gallant stated that he was asked to report back regarding a statement made on a CBC news story that Truis Tours would be asking for interim funding from the Town until the strategic plan report was in place. Councillor Gallant stated that he contacted Trius Tours, and at no time will they be approaching the Town of Stratford or the Town of Cornwall for interim funding. Councillor Gallant believes there must have been a misunderstanding. However, they will be asking us to join in the discussions of the development and preparation of the strategic plan which will be done in partnership with the City of Charlottetown, the Town of Cornwall, as well as the provincial and federal governments.

16. ECONOMIC DEVELOPMENT COMMITTEE

a) No Report.

17. HUMAN RESOURCE COMMITTEE

Nil

18. OTHER COMMITTEES

a) Stratford Seniors Complex

Councillor MacDonald noted that there was one vacancy at the complex, but that has been filled.

19. PROCLAMATIONS

Nil

20. OTHER BUSINESS

Nil

21. ADJOURNMENT

There being no further business, the meeting adjourned at 5:40 p.m.

Kevin Jenkins, Mayor **Robert Hughes, CAO**