REGULAR MONTHLY COUNCIL MEETING
June 10, 2009
Approved Minutes

DATE: June 10, 2009
TIME: 430 p.m. - 5:37 p.m.
PLACE: Stratford Town Centre, 234 Shakespeare Drive

PRESENT: Deputy Mayor Sandy McMillan; Councillors Steve MacDonald; Emile Gallant; Robert Hughes, CAO; Kim O'Connell, Manager of Finance and Administration; Vahid Ghomoshchi, Director of Planning; Jeremy Crosby, Manager Public Works and Utility; Ron Fisher, Recreation Director and Mary McAskill, Recording Clerk

REGRETS: Councillor Gary Clow, Councillor Patrick Ross and Councillor Diane Griffin

CHAIR: Mayor Kevin Jenkins

1. CALL TO ORDER

Mayor Kevin Jenkins called the June 10, 2009, 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 Steve MacDonald and seconded by Deputy Mayor McMillan that the agenda be approved with the following change: item # 13 Planning and Heritage moved up to become item #9.

Discussion: None
Question: **CARRIED**

3. MINUTES

It was moved by Deputy Mayor McMillan and seconded by Councillor Steve MacDonald that the Regular Monthly Meeting Minutes of May 13, 2009 be approved as circulated.

Discussion: None
Question: **CARRIED**

4. 0PRESENTATIONS

Nil

5. CARI REPORT

Included in the meeting package for Council to review. Ron gave a brief overview of the report noting that CARI had their provincial swim championships at the end of May. He also noted that they received funding from the Build Canada Fund for their energy audit and that was good news.

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.

8. CHIEF ADMINISTRATIVE OFFICER

Included in the meeting package for Council to review. Robert gave a brief overview of his report noting that copies of our submission were delivered to the Commissioner on Land Use and Local Governance yesterday, and we are scheduled to give our presentation next Wednesday evening.

Robert noted that we are redesigning our web site and if anyone has any comments or concerns to let him know.

9. PLANNING & HERITAGE

a) Report

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

b) May 2009 Permit Summary

Included in the agenda package.

c) Resolution PH014-09 SD022-08 Gordon MacPherson - Georgetown Road

Moved by Deputy Mayor Sandy McMillan
Seconded by Councillor Emile Gallant

WHEREAS an application has been submitted by Gordon MacPherson to subdivide the land including parcel No. 859009 and Parcel No. 924928, with the total area of 26.22 acres, located off the Georgetown Road, and zoned Two-Family Residential (R2); and

WHEREAS the original concept plan has been designed by Mr. Randall Arednt based on his Natural Conservation approach. Mr. Arednt designed this subdivision creating well designed open spaces, a good sense of place, as well as fostering social interaction; and

WHEREAS the proposed subdivision preliminary plan includes 12 sem-detached (Duplex), 37 Single Family and 1 existing single family (Earl Beaton's House) lots. The plan also creates almost five acres green spaces (19.11% of the whole subdivision Area).

BE IT RESOLVED that preliminary approval be granted to a request from Gordon MacPherson to subdivide the proposed land in accordance to the submitted plan subject to the following:

1. That a subdivision storm water management plan shall be completed by a licensed engineer and approved by the Town of Stratford in accordance with the concept plan submitted.

2. That the concept design meets all the Provincial Government requirements and approved by the PEI department of Environment, Energy and Forestry.

3. That the concept design meets all the Provincial Government requirements and approved by the PEI department of Transportation and Public Works.

4. That new sewer and water services shall be designed in accordance with the Stratford Utility Corporation Servicing Standards and a Utility Agreement shall be executed between the Developer and the Stratford Utility Corporation.

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

Discussion: This resolution bears the recommendation of the Planning and Heritage Committee. Vahid gave a brief explanation of the request noting that the subdivision has a very good design. Mayor Jenkins asked if the Trails Committee had looked at the plan and Vahid replied that they had.

Question: **CARRIED**

d) **Resolution PH015-09 SD01109 Mervin MacDonald - PURD Zone Development - Williams Gate**

Moved by Deputy Mayor Sandy McMillan
Seconded by Councillor Steve MacDonald

WHEREAS an application has been received from Mervin MacDonald to construct a total of 22 townhouse dwellings on PID 897124 (a portion of) on lots 281 to 287, located in Williams Gate and currently zoned PURD; and

WHEREAS the proposed land was originally approved as 6 lots that would contain 5 units each (for a total of 30 units); and

WHEREAS Mr. MacDonald is proposing to reconfigure the original 6 lots along Williams Gate into 4 lots and then build 2x6 unit and 2x5 unit townhouses for a total of 22 unit each having frontage along Williams Gate.

BE IT RESOLVED that approval be granted to a request from Mervin MacDonald to reconfigure 6 lots on Williams Gate (lots 281-287) into 4 new lots allowing for the development of 2x5 unit townhouses and 2x6 unit townhouses on the four lots for a total of 22 townhouse units fronting on Williams Gate subject to the following:

1. That a subdivision plan shall be completed by a licensed surveyor and approved by the Town of Stratford in accordance with the concept plan submitted by William W. Chandler dated May 26, 2009, dwg no. WWC09-045sp10.

2. That any new sewer and water laterals shall be installed in accordance with the Stratford Utility Corporation Servicing Standards and a Utility Agreement shall be executed between the Developer and the Stratford Utility Corporation.

3. All other relative provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw being satisfied prior to obtaining a Development Permit.

Discussion: It was noted that this resolution bears the recommendation of the Planning and Heritage Committee. Vahid gave a brief description of the request.

Question: **CARRIED**

e) <u>Resolution PH016-09 - VA002-09 - Mark MacDougall - Side Yard Variance Request - 22 Dorothy Avenue</u>

Moved by Deputy Mayor McMillan
Seconded by Councillor Emile Gallant

WHEREAS application has been received from Mr. Mark MacDougall for a side yard variance to parcel number 736603, located at 22 Dorothy Avenue to allow for the construction of 20 foot wide attached garage and Inlaw Suite; and

WHEREAS Mr. MacDougall received a development permit from the Town (DP049-09) on June 2, 2009 for the proposed addition to his home with the condition that a location certificate be submitted once the footing was in place to ensure the addition still allowed for the required 15 foot side yard setback within the R1-L Zone; and

WHEREAS after the location certificate was complete Mr. MacDougall discovered that he did not have the required 15 foot setback and only had a setback of 10.92 feet to the closest wall of the proposed addition therefore requiring a variance; and

WHEREAS the side yard variance request is for 4.08 feet (or 27.2%) to the minimum side yard setback requirement of 15 feet for a single family dwelling located within the Single Family Residential Large Zone (R1L). The applicant, therefore, is seeking a variance to the side yard setback **from** <u>15 feet</u> **to** <u>10.92 feet</u>; and

WHEREAS Council may authorize variances in excess of ten (10%) percent from the provisions of the Bylaw, if Council deems such a variance is desirable and appropriate and if such a variance is in keeping with the general intent and purpose of the Bylaw; and

WHEREAS over the past couple of days Mr. MacDougall has notified property owners within 200 feet of his property to solicit their comments on the side yard variance request and has got the people to sign a letter if they had no objection to his variance request**.**

BE IT RESOLVED that approval be granted to an application from Mr. Mark MacDougall for a side yard variance of 4.08 feet (or 27.2%) to parcel number 736603, located at 22 Dorothy Avenue to allow for the construction of 20 foot wide attached garage and Inlaw Suite.

Discussion: Deputy Mayor McMillan explained why this request has come before Council before it went to planning board. She noted that when the original house was built there was the intention of putting something there, but in discussions with the builder (at the time he built the original residence) the builder suggested that he move it a little closer and ended up pushing it too close to the wrong side. This was only revealed when this particular project was started. Deputy Mayor McMillan noted that Mr. MacDougall has people organized to do the work and if he had to wait for this to go to the planning board, it would set him back a month with his builders. He asked that Council consider his request and he has done a lot of the leg work himself. He has signed approval letters from the people in the 200 foot radius. Mark MacDougall was in attendance and provided Deputy Mayor McMillan with a copy of the plan and how it will look when completed.

Councillor Gallant asked how the planning staff feel about this request and Vahid replied that the planning department does not have any issue with the request.

Question: **CARRIED**

10. <u>PUBLIC WORKS</u>

a) <u>Report</u>

A complete written report was included in the package for Council to review. Councillor Gallant asked if we have a schedule for the trails and Jeremy replied that we do. He noted that he has met with the consultant regarding the Kinlock Creek design which borders where the trail will be located near the stream bed. The consultant will have a design ready within the next couple of weeks and once the construction of the subdivision takes place the trail will go in along with it. Jeremy noted that the other section of trail that was to go in last year will be put in within the next month. He also noted that the tender is being prepared for the Williams Gate system.

It was noted that the Georgetown Road sidewalk project will start on Monday and we hope to have everything installed and ready for the Canada Games. There is also a good chance that we will have sidewalks from Sundance Lane to Kinlock Road.

b) **<u>Resolution PW001-2009 Fuel Oil Tender</u>**

Moved by Councillor Steve MacDonald
Seconded by Councillor Emile Gallant

WHEREAS tenders for the supply of fuel oil were received as follows:

Town Owned Properties

Company	Discount	Service Charge	Yearly Cleaning
Blue Wave Energy	8.0 c.p.l off of IRAC posted rate	$57.00/hr	$109.00 total
Island Petroleum	7.0 c.p.l off of IRAC posted rate	$59.00/hr $80.00/hr for after hours calls	$59.00/hr

Mayor, Council & Employees

Company	Discount	Service Charge	Yearly Cleaning
Blue Wave Energy	8.0 c.p.l off of IRAC posted rate	$57.00/hr	$109.00 total
Island Petroleum	4.0 c.p.l off of IRAC posted rate	$59.00/hr $80.00/hr for after hours calls	$69.95 + parts

Committee Members

Company	Discount	Service Charge	Yearly Cleaning
Blue Wave Energy	6.0 c.p.l off of IRAC posted rate	$57.00/hr	$109.00 total

Island Petroleum	4.0 c.p.l off of IRAC posted rate	$59.00/hr $80.00/hr for after hours calls	$69.95 + parts.

BE IT RESOLVED THAT the contract for the supply of fuel oil be awarded to Blue Wave Energy for a three year period effective June 10, 2009.

Discussion: This resolution bears the recommendation of the Public Works and Property Committee.
Question: **CARRIED**

c) <u>Resolution PW002-2009 Georgetown Road Improvements and Utility Extensions</u>

Moved by Steve MacDonald
Seconded by Emile Gallant

WHEREAS the "Georgetown Road Sewer/Water Main/Sidewalk and Bike Path Extension" tender closed on Thursday, May 28, 2009; and

WHEREAS the three tenders received for the completion of the work are as follows:

Contractor	Tender Price (GSTI)	Calendar Days	Completion Date
Birt & MacKay Backhoe Services Ltd.	$1,621,236.63	90	Sept 25, 2009
Island Coastal Services Ltd.	$1,707,611.05	94	40087
Island Excavators Ltd.	$2,002,028.50	120	17 Weeks

WHEREAS the Public Works portion for the above project (i.e., sidewalk/bike path construction) is $281,514.38 +$15,000.00 for engineering for total amount of $296,514.38); and

WHEREAS the budget for this project is $240,000.00, based on the above information the project is over budget by $56,514.38;

THEREFORE BE IT RESOLVED that the low tender, submitted by Birt & Mackay be accepted; and

BE IT FURTHER RESOLVED that a supplementary capital budget in the amount of $65,000.00 be approved to cover the additional costs and possible extras of the above project.

Discussion: Robert noted that we budgeted based on our gas fund allocation (($240,000) and we can borrow forward or behind. We have used all the sidewalk money we have been given to date, so we will be borrowing some of next year's sidewalk money to do this, but as noted, we are able to borrow forward on the gas tax funds.

Mayor Jenkins asked about the completion date, as it seems to be after the Canada Games. Jeremy explained that in the actual tender award letter it states that the first part of the project must be complete down at MacNeill Field prior to August 14 and construction will then cease until after the Canada Games and resume on August 31.

Question: **CARRIED**

11. STRATFORD UTILITY CORPORATION

a) Report

A complete written report was included in the package for Council to review. Deputy Mayor McMillan gave an overview of the report noting that the sludge removal has been completed, the aeration system has been reinstalled, and the odour has subsided.

The Georgetown sewer and water project was awarded (partial award) to Birt and MacKay and they will start work on Monday, June 15.

Deputy Mayor McMillan noted that she attended a federal/provincial funding announcement and the Town was awarded funding for the wellfield exploration, Lantz subdivision sewer and water and the Rogerson/Glencove water project. The project for Sundance Cove is about 70% complete in terms of design and the tender will be going out in about two weeks.

Deputy Mayor McMillan noted that within a month we expect to have a report from our engineering firm with options for our lagoon.

b) Financial Statements

Included in the agenda package for Council to review.

c) Resolution SU008-2009 Approval of Supplementary Capital Budget of $80,000 for the Rotating Biological Contactor (RBC) Installation

Moved by Deputy Mayor McMillan
Seconded by Emile Gallant

WHEREAS an amount of $105,000 had been budgeted in 2009 for the installation of the RBC at the waste water treatment plant; and

WHEREAS two tenders were received for the completion of this work as follows:

Contractor	Total Bid Price
WM&M (1993) Ltd.	$203,280.00
Island Coastal Services Ltd	$243,532.80

WHEREAS the low tender received from WM&M (1993) Ltd. was over the $105,000 budget amount; and

WHEREAS the additional cost to install the RBC would be $76,760 (after gst is reimbursed and two credits were applied); and

WHEREAS this work must take place in order to continue to expand our sewer collection system within the town. It is also necessary in order to continue to receive certificates of approval from the Prince Edward Island Department of Environment, Energy and Forestry for development of new subdivisions.

BE IT RESOLVED that a supplementary capital budget in the amount of $80,000 be approved for the installation of the RBC including possible extras.

BE IT FURTHER RESOLVED that the low tender submitted by WM&M (1993) Ltd, in the amount of $190,848.00 including GST be accepted.

Discussion: None
Question: **CARRIED**

12. RECREATION REPORT

a) Report

A complete written report was included in the package for Council to review. Councillor MacDonald gave a brief overview of the report noting that their last meeting was rescheduled and will be held next week.

Ron Fisher noted that we are submitting an application through ACOA's Recreation Infrastructure Program for funding to upgrade recreational facilities that exist within the Town. If approved, work to make the soccer clubhouse wheelchair accessible, as well as re-surfacing of outdoor basketball courts and planting of mature trees will be some of the initiatives taken.

It was also noted that the recreation department plans to offer supervised recreational activities at various parks throughout the summer months.

Ron noted that a needs assessment is being conducted at the Cotton Park in conjunction with the funding application for the library and should be completed for Council to review at the next Committee of the Whole meeting.

Emile asked about the indoor soccer facility and Ron replied that the facility is near completion. They will be holding a 'soccer day event' similar to hockey day later this month. Ron noted that the organizers will be contacting him to finalize the itinerary and the facility should be open in about two weeks.

Deputy Mayor McMillan noted that the Town, in conjunction with the Mayflower Seniors Club hosted a D-Day celebration at the Cotton Centre on June 6. She noted that after the celebrations the youth in attendance approached the veterans asking for their autographs and it was quite moving.

Canada Day festivities will be held on July 1 at Tea Hill Park from 1:30 to 4:30 p.m. and the Strawberry Festival will be held on Saturday, July 11.

b) **Resolution RC 002-2009 Naming of New Neighbourhood Park - Pondside Phase II**

Moved by Councillor Steve MacDonald
Seconded by Emile Gallant

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

WHEREAS the Town has three open spaces located in Pondside Phase II;

WHEREAS open space 0-1 adjoins Emmalee Drive and Picton Beete and is 3,090 sq. meters in size;

WHEREAS open space 0-1 is the recommended space for active play;

BE IT RESOLVED that the Town of Stratford name open space 0-1 as Emmalee Park.

Discussion: this resolution bears the recommendations of the Recreation Commission.
Question: **CARRIED**

13. FINANCE & ADMINISTRATION

a) **Report**

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

b) **Financial Statements**

Included in the package for Council to review.

c) **Resolution FA009-2009 Computer Network Acceptable Use Policy, Policy #2009-FA-01**

Moved by Councillor Emile Gallant

Seconded by Steve MacDonald

WHEREAS it is important to have a policy that establishes acceptable use of the Town's computing, Internet, e-mail and network facilities.

BE IT RESOLVED that the attached Policy, Policy # 2009-FA-01 - Computer Network Acceptable Use Policy, be hereby approved.

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

Question: **CARRIED**

d) **Resolution FA010-2009 Stratford Community Choir**

Moved by Councillor Emile Gallant

Seconded by Deputy Mayor McMillan

WHEREAS a request for financial assistance was received from the Stratford Choir to help with the purchase of new uniforms for the choir; and

WHEREAS the Town of Stratford is a proud supporter of the Stratford Community Choir and enjoys the musically performances that have been provided for the Town and its residents along with our sister cities; and

WHEREAS the Finance and Administration Committee has recommended that a $1,250 donation be granted to the Stratford Community Choir.

BE IT RESOLVED that $1,250 be donated to Stratford Community Choir.

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

Question: **CARRIED**

14. COMMITTEE OF THE WHOLE

a) Resolution CW003-2009 Appointment of CADC Board Member

Moved by Deputy Mayor McMillan
Seconded by Steve MacDonald

WHEREAS Frank MacIntyre has served as the Town's representative on the CADC Board in accordance with the share purchase agreement allowing a voting representative to the Board; and

WHEREAS Mr. MacIntyre has agreed to serve another term as the Town's representative.

BE IT RESOLVED that Frank MacIntyre be hereby re-appointed as the Town's representative on the CADC Board until the next CADC annual meeting in 2010.

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

Question: **CARRIED**

15. SAFETY SERVICES AND ENVIRONMENT

a) No Report

Councillor Gallant noted that the committee did not meet since the last Council meeting.

b) Street Light Report

Nil

c) RCMP Report

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

d) Humane Society Report

No Report

e) Fire Company

No Report

f) **Transit Report**

Included in the package for Council to review. Councillor Gallant stated that he is happy to report that the number of riders continues to go up.

Mayor Jenkins asked about the new bus and Robert replied that it is here and is being registered tomorrow.

Mayor Jenkins asked for an update on the Nuisance Bylaw and Councillor Gallant noted that the committee spent a great deal of time reviewing the bylaw and whether or not we need to go with a noise meter. The committee agreed that a noise meter is not required at this time, and is recommending that we tighten up the wording in the bylaw so it is not so vague.

16. ECONOMIC DEVELOPMENT COMMITTEE

a) **Report**

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

Councillor Gallant stated that he has received some calls regarding water flow at Kinlock and Stratford Roads and he would like staff to look at it, and it can then be discussed further at the Committee of the Whole.

17. HUMAN RESOURCE COMMITTEE

a) No Report

18. OTHER COMMITTEES

a) **Stratford Seniors Complex**

No written report. Councillor MacDonald stated that he was informed by CMHC that there is new funding program available and Kim is working on an application to apply for the funding. Councillor MacDonald noted that we want to have the siding replaced, as well as having some other energy efficient retrofits done to the building.

19. PROCLAMATION

Nil

20. OTHER BUSINESS

a) Stratford Town Choir - Deputy Mayor McMillan stated that she attended the Stratford Choir's 10th Anniversary at the Park Royal United Church. She noted that it was absolutely wonderful and they had a full house. She also noted that a lot of credit was given to the Town for their support over the past 10 years.

Councillor MacDonald noted that the name tags at the FCM do not show Stratford PEI in large enough letters, and we are being mistaken for Stratford Ontario. He wondered if this could be brought to their attention and Mayor Jenkins replied that he will send an email to FCM to bring it to their attention.

Councillor MacDonald also noted that our Stratford lapel pin is larger than the majority of pins and maybe when we place our next order we could downsize them a bit.

21. ADJOURNMENT

There being no further business, the monthly Council meeting adjourned at 5:37 p.m.

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