

REGULAR MONTHLY COUNCIL MEETING

January 13, 2010

Approved Minutes

DATE: January 13, 2010
TIME: 7:30 p.m. - 8:33 p.m.
PLACE: Stratford Town Centre, 234 Shakespeare Drive

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

REGRETS: Ron Fisher, Recreation Director

CHAIR: Mayor Kevin Jenkins

1. CALL TO ORDER

Mayor Kevin Jenkins called the January 13, 2010 Regular Monthly Council Meeting to order at 7:30 p.m. and welcomed those in attendance.

2. APPROVAL OF AGENDA

It was moved by Councillor Gary Clow and seconded by Councillor Diane Griffin that the agenda be approved with the following items: Under Other Business #20 a) Diversity and Inclusion Committee and b) Provincial Cabinet Shuffle.

Discussion: None

Question: **CARRIED**

3. MINUTES

It was moved by Deputy Mayor McMillan and seconded by Councillor Diane Griffin that the Regular Monthly Meeting Minutes of December 9, 2009 be approved as circulated.

Discussion: None

Question: **CARRIED**

4. PRESENTATIONS

Frank Morrison introduced himself noting that he is president of the Vogue Optical 55 Plus Games. He added that he also works part time with Recreation PEI and part of that job is going around to municipalities across the province and presenting the benefits of smoke free indoor and outdoor recreation facilities. Mr. Morrison noted that the Stratford model that was adopted two years ago was used and we now have about 13 municipalities onside. Approximately 75% of our population live in communities that have smoke free indoor and outdoor recreation facilities and we wanted to thank Stratford for taking the lead on this issue.

Tonight we are here specifically to speak about the Vogue Optical 55 Plus Games that are coming to Stratford in the first week in March. This is our second visit to your community. Because of our growth we now have municipality rotation with Charlottetown, Stratford and Cornwall, and we are also trying to work with the outlying districts for ball games. Mr. Morrison noted that we started with 85 people in 1997 and last year in Cornwall we had 599 participants and we will continue to grow. One of our goals is to host the 2014 national games and we are quite confident that we will get those games.

Mr. Morrison introduced Eugene MacDonald, who is the chair of the Host Committee. Mr. MacDonald stated that on behalf of the Host Committee, he welcomes this opportunity to bring greetings and general information to Council (a copy of the registration form was circulated) for the upcoming 55 Plus Winter Games that Stratford is hosting from March 1 - 5, 2010. He noted that the initial meeting was held last June and we have been very busy since then. Mr. MacDonald noted that the games will conclude on March 6 with a celebration banquet.

Mayor Jenkins thanked Mr. Morrison and Mr. MacDonald for their presentation and added that we are looking forward to having the events in Stratford.

5. **CARI REPORT**

No Report.

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 package for Council to review. Robert noted that Stratford, along with some other communities, has been issued a challenge by the Town of Cornwall for staff and Council in each community to compete to see who is most active over a six week period (January 17 - February 27). After a brief discussion the consensus was to accept the challenge.

9. **PUBLIC WORKS AND PROPERTY**

a) **Report**

Councillor Griffin noted that the committee did not meet in December. The next Public Works and Property Committee meeting will be held on January 28.

b) **PW001 -2010 - Island Communities Fund Application Tea Hill Park**

Moved by Councillor Diane Griffin

Seconded by Councillor Steve MacDonald

WHEREAS an application has been submitted through the Island Community Fund (ICF) for the construction of a new washroom/change room facility at Tea Hill Park which may also being funded under the Recreational Infrastructure Canada (RInC) program; and

WHEREAS the construction of this new building is expected to start in May 2010; and

WHEREAS the estimated amount to complete the construction of the building is \$200,000.00; and

WHEREAS the Town would be required to pay one-third of this amount as per the funding agreement.

BE IT RESOLVED that the Town of Stratford apply to the ICF and the RInC programs in the amount of \$200,000.00 to complete the above project in 2010. In addition, Council understands and commits that it will be responsible for its' designated share of the eligible costs of the project, and will assume responsibility for any and all operating and maintenance costs resulting from the project.

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

Question: **CARRIED**

10. STRATFORD UTILITY CORPORATION

a) Report

Councillor McMillan noted that the Utility Board did not hold a meeting in December.

b) Resolution SUC001-2010 - Adoption of the 2010 Utility Operating Budget

Moved by Deputy Mayor McMillan

Seconded by Councillor Gary Clow

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 2010 Stratford Utility Corporation operating budget be approved as follows:

	Combined
Revenue	\$1,559,900
Expenses	\$1,370,100
Surplus (Deficit)	\$ 189,800

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

Question: **CARRIED**

c) **Resolution SUC002-2010 Adoption of the 2010 Utility Capital Budget**

Moved by Deputy Mayor McMillan

Seconded by Councillor Emile Gallant

BE IT RESOLVED that the attached 2010 Stratford Utility Corporation Capital Budget be approved with total capital expenditures of \$4,930,000.

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

Question: **CARRIED**

11. 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 the winter program guide will be included in January's newsletter that is scheduled to go out later this month.

Councillor MacDonald noted that preparations to ready the outdoor skating surfaces are underway and a schedule has been established for both Bunbury Rink and Pondside Park.

It was noted that December was an extremely busy month for the Events Committee and a full listing is included in the report. Councillor MacDonald stated that plans are underway for our upcoming Winter Carnival which is being held February 25 - 28 and a full itinerary will be released to the media. Full details will also be provided in our newsletter.

Deputy Mayor McMillan took a moment to welcome back our Assistant Recreation Coordinator Rachel Arsenault, who has been working in Alberta for the past year.

12. FINANCE & ADMINISTRATION

a) Report

Councillor Ross stated that he is pleased to present the 2010 budget for the Town of Stratford.

Two thousand and nine has been a very busy year as the Town continues to grow. The Town's success is expressed through a record setting \$38.8 million in development growth. At a time when others have seen growth subside or decline, we firmly held our own as the fastest growing community on PEI and one of the fastest growing communities in Atlantic Canada.

The Town of Stratford has taken the lead in maintaining and introducing some new ways of thinking in municipal affairs.

The preparation of the 2010 budget required the continued dedication by Town staff and the Finance and Administration Committee, and on behalf of Council I would like to offer a sincere thank you.

Each year the Town continues to grow, and with it comes growing demands and requests. Council does its best to deliver the very best programs and services for our residents. Healthy discussions and prioritizing requests are always challenging, but our focus is to simply do our best to work together to make this process work.

As mentioned in last year's budget, 2009 was going to be a bit more challenging with the elimination of the CUSA tax credit and with the assessment freeze on the owner occupied residential property - both of which were imposed by the province. In the past, the Town's non-commercial tax rate was set at \$0.64 per \$100 of assessment. Now the province has changed it to a \$0.44 tax rate, with the \$0.20 difference being collected by the government and then converted into a grant. It is important to note that the Town does not get the full \$0.20 back in the form of a grant. Last year we forecasted the Town would be out over \$25,000. Our forecast was bang on. This year, the predicted number has risen. It has risen drastically. It has risen by over 250% to just over \$62,000.

As in the past, the provincial government will not be introducing its budget until April. We are hopeful that with the latest report by Judge Ralph Thompson that the province will, sooner rather than later, initiate his findings of better communication of municipal funding. Depending on what the grant amount from the province will be, Council may have to look at a rate increase or a cut in funding - neither of which we want to do. This past fall I wrote a letter to the Minister of Communities, Cultural Affairs and Labour asking for an indication as to what the total of the grant would be coming to the Town. The Minister did respond, but was not able to offer any direction as to what the Town would be receiving. As of this afternoon, we received a letter from the Minister stating what we would be receiving. Therefore, we are able to say that the taxes will be remaining the same.

As we look at the Town's total revenue, the non-commercial numbers continue to be strong as we take in factors previously mentioned. Non-commercial assessments will be in the range of \$494,000,000 and commercial assessments will be \$23,000,000. Combining these figures with such revenue as police fines, rent income, fees and permits, the projected total revenue for the Town in 2010 is \$4,052,400.

Council makes every effort to assist the various groups and resident requests that were received during the budget process.

Council is very pleased this year to be able to assist the Glen Stewart Greater Grounds Committee through a commitment of \$5,000, as they continue to strengthen their boundless playground, one of two in Canada, and a positive meeting place for Stratford families.

The Town Hall gym will become more inclusive when funding is provided to install electronic backboards in partnership with the Stratford Basketball Association. This will allow more provincial and Atlantic tournaments to take place for players of all abilities.

The Pownal rink is a focal point for residents during the winter months. Town Council is also committed to the health of the community, and therefore is pleased to announce increased funding in the amount of \$34,000.

With continued federal funding, the Town's sidewalks, bike paths and trails will see much growth throughout the Town totaling \$360,000.

Other projects include \$200,000 to replace the Tea Hill Park building and \$200,000 for an emergency generator for the Town Centre. These projects are contingent on receiving funding from the province's Island Community Fund.

The total capital budget for 2010 is \$1,441,500 with \$989,800 of it funded through New Deal Gas Tax and other programs. Over the past few years, Town Council has been committed to paying down the Town debt by 4% of the total revenue. This year, however, we will be paying down the debt with a figure of \$362,287, which is higher than the 4% goal of \$162,096.

Throughout 2009, staff, Council and residents created a forward moving document that will define how municipalities work and live with diversity. Council felt that the

Diversity and Inclusion document was very important to Stratford's overall goals and that one of its recommendations is to have a person hired on a term basis, subject to federal program funding assistance, to help implement the plan. I am very pleased to announce this evening that funding will be provided for a position that will oversee the implementation of the Diversity and Inclusion Plan. Ten thousand dollars will be provided to match funding that we hope to obtain through Immigration Canada.

With the growth of the Town comes new requirements and needs. As a result, a building code inspector will be hired to complete building code inspections after a cost of \$16,000. Partial funding will come through inspection fees.

The total operating budget for 2010 is set at \$3,879,000.

After all financial items have been taken into account, including new spending initiatives and the province's continued grant system, the Town is forecasting a total revenue of \$4,052,400, total expenses of \$3,879,000, which will give a surplus of \$173,400 and cash surplus of \$11,000 after principal payments are factored in - due to the new Tangible Asset Policy.

Ladies and gentlemen, in challenging economic times we have increased our spending, we have invested in priority areas, we have held the line on taxes, we are eliminating our debt and we are delivering a surplus.

Stratford is a town of growth and success. Our citizens work hard to make this a safe, friendly and thriving community. I am proud of this community and excited about its future.

b) Resolution FA001-2010 Town Operating Budget

Moved by Councillor Patrick Ross

Seconded by Councillor Diane Griffin

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 \$162,300 and a significant surplus is required to allow the Town to make the principal payments.

BE IT RESOLVED that the attached 2010 Operating Budget be approved as follows in accordance with the attached revenue and expense tables:

REVENUE

Total Revenue	\$ 4,052,400
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EXPENDITURES

Total Expenditures	\$ 3,879,000
Surplus (Deficit)	\$173,400

BE IT FURTHER RESOLVED that the non-commercial municipal tax rate be set at \$0.44 per \$100 of assessment for 2010.

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

Discussion: This resolution bears the recommendation of the Finance Committee and the Committee of the Whole.

Question: **CARRIED**

c) **Resolution FA002-2010 - Adoption of the 2010 Town Capital Budget**

Moved by Councillor Patrick Ross

Seconded by Councillor Gary Clow

BE IT RESOLVED that the attached 2010 Capital Budget be approved in the amount of \$1,441,500 less New Deal funding of \$680,000, less Island Community Fund funding of \$209,800 and less JEEP funding of \$100,000 for a net Town Capital Budget of \$451,700.

Discussion: This resolution bears the recommendation of the Finance Committee and the Committee of the Whole.

Question: **CARRIED**

Mayor Jenkins thanked staff, Council and the Finance Committee for all their work on the 2010 budget.

13. **PLANNING AND HERITAGE**

a) **Report**

A complete written report was included in the package for Council to review. Councillor Clow noted that Daniel Savard, Department of Environment New Brunswick, gave a presentation on sustainable design prior to the meeting.

b) **Building Permit Summary**

Included in the package.

c) **Resolution PH001-2010 - Street Name Request - Strawberry Hill Subdivision**

Moved by Councillor Gary Clow

Seconded by Deputy Mayor McMillan

WHEREAS on October 14, 2009 Council granted approval to two new street names for the new streets being constructed within the Strawberry Hill Subdivision on parcel number 859009; and

WHEREAS Council was unsure if the third street name proposed at that time “Edies Way” meet the provincial civic address standards, therefore that street name was omitted from the resolution; and

WHEREAS upon further research it has been confirmed that the street name Edies Way does meet the provincial civic address guidelines.

BE IT RESOLVED that Council grant approval to a request from Gordon MacPherson to name the new street being constructed within the Strawberry Hill Subdivision on parcel number 859009 (as shown on the attached map) as follows:

- **Edies Way**

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

Question: **CARRIED**

14. COMMITTEE OF THE WHOLE

a) Resolution CW001-2010 Regional Aquatic Facility Board Appointment

Moved by Councillor Gary Clow

Seconded by Councillor Patrick Ross

WHEREAS the Town of Stratford, through the agreement with Capital Area Recreation Inc. (CARI), must appoint a representative to the Board of Directors of CARI, a not for profit company that was created to design, construct and operate the regional aquatic facility; and

WHEREAS Ron Fisher served as the Town's representative to the Board of Directors of CARI in 2008 - 2009, and has agreed to serve again.

BE IT RESOLVED that Ron Fisher be re-appointed to the CARI Board for the year 2010, to represent the Town's interest on the Board.

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

Question: **CARRIED**

b) Resolution CW002-2010 - Bylaw #31, A Bylaw to Replace Election bylaw, Bylaw #24 - 2nd Reading

Moved by Councillor Diane Griffin

Seconded by Councillor Steve MacDonald

WHEREAS the Province made some changes to the PEI Elections Act; and

WHEREAS Elections PEI administers the elections for the Town of Stratford, the City of Charlottetown, the City of Summerside and the Town of Cornwall; and

WHEREAS it is desirable to make changes to the existing election bylaw to reflect the changes in the Elections Act and to harmonize the Town Bylaw with that of the other three large municipalities to make it easier for Elections PEI to administer the municipal elections; and

WHEREAS the Chief Electoral Officer has recommended two additional minor changes to allow the Mayor and Council members to be sworn in by a justice of the Supreme or Provincial Court in Section 120 and to correct an incorrect reference in Section 143.

BE IT RESOLVED that the Stratford Election Bylaw, Bylaw #31, which was read and approved a first time on December 9, 2009, be hereby amended as follows:

- In Section 120, replace the words “Supreme Court” with the words *Supreme or Provincial Court*”
- In Section 1`43, replace the words “Section 139” with the words *Section 141.*”

BE IT FURTHER RESOLVED that the attached Stratford Election Bylaw, Bylaw #31, be read and approved a second time as amended.

Discussion: None

Question: **CARRIED**

c) **Resolution CW002-2010 - Bylaw #31, A Bylaw to Replace Election Bylaw, Bylaw #24 - Adoption**

Moved by Councillor Emile Gallant

Seconded by Deputy Mayor McMillan

WHEREAS Bylaw #31, Stratford Elections Bylaw, a Bylaw to replace the Elections Bylaw, Bylaw #24, was read and approved a first time on December 9, 2009; and

WHEREAS Bylaw #31, Stratford Elections Bylaw, a Bylaw to replace the Elections Bylaw, Bylaw #24, was read and approved a second time as amended on January 13, 2010.

BE IT RESOLVED that the Town of Stratford's Election Bylaw, Bylaw #31, be hereby adopted and that the Mayor and Chief Administrative Officer be authorized to affix their signatures and the corporate seal of the Town thereto and to formally declared the said Bylaw passed.

Discussion: None

Question: **CARRIED**

15. SAFETY SERVICES AND ENVIRONMENT

a) Report

Councillor Gallant noted that the committee did not hold a meeting in December.

b) Street Light Report

No Report

c) RCMP Report

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

d) Humane Society Report

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

e) Fire Company

No report

f) Resolution SS01-2010 Appointment of Directors to Crossroads Rural Community Fire Company

Moved by Councillor Emile Gallant

Seconded by Councillor Diane Griffin

BE IT RESOLVED that the following persons be appointed to serve on the Board of Directors of the Cross Roads Rural Community Fire Company for the year 2010.

Town Council Representative:

- Councillor Emile Gallant

Community Representatives:

- Clair Jenkins
- David Milligan
- David Swan
- David Panton
- Cynthia Chugg

Discussion: None

Question **CARRIED**

g) **Resolution SS02-2010 Bylaw #30, Noise and Nuisance Bylaw, A Bylaw to Replace Bylaw #27, Nuisance Bylaw - 2nd Reading**

Moved by Councillor Emile Gallant

Seconded by Councillor Steve MacDonald

WHEREAS the existing Nuisance Bylaw, Bylaw #27, was reviewed to address complaints that were received from residents and were not able to be dealt with under the existing Nuisance Bylaw; and

WHEREAS during the review of the bylaw the Town's solicitor advised that the current bylaw was too vague and overbroad and therefore difficult to enforce; and

WHEREAS a new Noise and Nuisance Bylaw was drafted by reviewing other bylaws and by consulting with the Town's solicitor, and the draft bylaw was then presented to members of the public at a meeting in September; and

WHEREAS some amendments were made to the draft bylaw to reflect the feedback from the public meeting.

BE IT RESOLVED that the attached Noise and Nuisance Bylaw, Bylaw # 30, be hereby read and approved a second time.

Discussion: None

Question: **CARRIED**

- h) **Resolution SS005-2009 Bylaw #30, Noise and Nuisance Bylaw, A Bylaw to Replace Bylaw #27, Nuisance Bylaw - Adoption**

Moved by Councillor Emile Gallant

Seconded by Councillor Diane Griffin

WHEREAS Bylaw #30, Noise and Nuisance Bylaw, a Bylaw to replace the Nuisance Bylaw, Bylaw #27, was read and approved a first time on December 9, 2009; and

WHEREAS Bylaw #30, Noise and Nuisance Bylaw, a Bylaw to replace the Nuisance Bylaw, Bylaw #27, was read and approved a second time on January 13, 2010.

BE IT RESOLVED that the Town of Stratford's Noise and Nuisance Bylaw, Bylaw #30, be hereby adopted and that the Mayor and Chief Administrative Officer be authorized to affix their signatures and the corporate seal of the Town thereto and to formally declare the said Bylaw passed.

Discussion: None

Question: **CARRIED**

16. ECONOMIC DEVELOPMENT COMMITTEE

a) Report

A complete written report was included in the package for Council to review. Mayor Jenkins noted that there is a strategic planning meeting scheduled for Thursday, January 14 and the regular monthly meeting will be held on Tuesday, January 19.

17. HUMAN RESOURCE COMMITTEE

- a)** Councillor Gallant noted that the committee did meet and made recommendations for the year end changes.

18. OTHER COMMITTEES

a) Stratford Seniors Complex

Councillor MacDonald gave a verbal report noting that some tenants have expressed concern regarding smoking and poor signage, and the committee is addressing those concerns. He also noted that the committee has received a request from a tenant to have the carpet removed and laminate flooring installed due to health issues.

19. PROCLAMATION

Nil

20. OTHER BUSINESS

a) Diversity and Inclusion

Deputy Mayor McMillan noted that Isabel Ong has agreed to chair the new Diversity and Inclusion Committee, and the first meeting has been tentatively scheduled for Thursday of next week.

Mayor Jenkins noted that there was some good coverage recently on CBC on our Diversity and Inclusion Report.

b) Cabinet Shuffle

Councillor McMillan stated that everyone is aware that the Premier announced a new cabinet today and it seems to be an excellent group of people going forward, and we anticipate a good working relationship as in the past. She noted that she is a bit disappointed that Stratford has no representation and feels that with a community of our size it is time for a representative from Stratford to be at the cabinet table. Mayor Jenkins agreed stating that there are a number of positive things in the shuffle - it is great to have Culture and Tourism under the same portfolio and Finance and Municipal Affairs under the same portfolio. We have good talent in our MLA's, and as the third largest municipality it would have been great to have had some representation from our MLA's in cabinet.

21. ADJOURNMENT

There being no further business, the meeting adjourned at 8:33 p.m.

Kevin Jenkins, Mayor

Robert Hughes, CAO