

SPECIAL COUNCIL MEETING
(due to postponement of September 13, 2018 meeting)
September 20, 2018

Present: Mayor Eric Gavin; Deputy Mayor Carol Ferguson; Councillors Blake Adams, and Darren MacKinnon; Reporters from West Prince Graphic and Journal; and CAO Bev Shaw.

Regrets: Councillor Tashia Maynard and Marvin MacDonald who is attending FPEIM meetings this evening.

1. MEETING TO ORDER:

Mayor Gavin called the meeting to order at 5:30 pm and declared a quorum present.

The agenda was approved with the following additions: 1. Signage for Pate Garden Subdivision; 2. New rear tires for tractor. *Moved by B. Adams, seconded by C. Ferguson and carried.*

2. CONFLICT OF INTEREST DECLARATIONS:

nil

3. MINUTES

The June 14, 2018 regular council meeting, June 18, 2018 special (& in camera) meeting minutes, August 1, 2018 special council meeting, August 27, 2018 special council meeting and August 29, 2018 special council meeting minutes were reviewed for errors and omissions. Page 3 of June 14, 2018 minutes were amended to change Fees Bylaw number to 2018-08.

Moved by D. MacKinnon, seconded by C. Ferguson and carried that council meeting minutes be approved.

4. BUSINESS ARISING FROM MINUTES:

5. FINANCIAL BUSINESS:

Budget update circulated to Council. Carol presented the revenue and expenses stating that CN rents, complex rents and recreation program fees are down but it was noted that CN should soon be sold and complex rents will increase with CHANCES taking lease on daycare area. Expenses are over budget for professional fees and bank service charges. Softball events this summer netted approximately \$3500 to date. Sewer receivables are a little high but last billing was just in June. Faye will continue to work on reducing receivables. Bank balances as follows: August 31/2018 for general account - \$468,416.63 and for sewer - \$56,134.49. Expenses for June 1 - August 31, 2018 for general totaled \$280,315.29 and for sewer \$148,134.41. *Moved by B. Adams, seconded by D. MacKinnon and carried* that financial reports and paid bills for June 1 - August 31, 2018 be approved.

6. NEW BUSINESS

A. Mayor's report - Eric reported attending several meetings and was quite busy.

B. Administrator's report - Bev reported attending information session on RCMP on June 22nd and asset management session on June 24th. EDA workers contracts finished except for one; summer students also completed - claims submitted. Daycare renovations coming along well and CN sale also moving along. O'Halloran pre trial scheduled for November 19th. Building/business permits issued - Town of O'Leary for retail outlet at \$312,000; Georgina Gallant for demolition of outbuildings at \$0.00; Ursula Cornish for demolition of outbuilding and construction of new building at \$4000; Subdivision permit to Town of O'Leary to amalgamate PID # 41566 and 41574 to allow for construction of retail outlet; Subdivision permit to Town of O'Leary for PID 43661 and 721464; permit to Eric and Connie Bernard for private garage at \$10,000; permit to Robert and Spencer Ellis for storage barn at \$10,000; permit to John and Catherine Barkley for single family dwelling at \$18,000; and permit to Cavendish Agri Services for demolition of storage towers at \$80,000.00. Bev's overtime at 14 hours, 2 weeks of 2018 vacation; Dale's overtime at 24.5 hours plus 4 weeks of 2018 vacation time; and Jess has 25 hours overtime.

Resolutions for Permits:

Whereas the Town of O'Leary Zoning and Subdivision Control (Development) Bylaw requires Town Council approval for commercial, institutional, industrial and multiple family dwelling permits, the following permit application is presented to Council: Cavendish Agri Services, 41 North ST., for demolition of two storage towers at \$80,000. Approved on a ***motion by D. MacKinnon, seconded by C. Ferguson and carried.***

Whereas the Town of O'Leary Zoning and Subdivision Control (Development) Bylaw requires Town Council approval for subdivision permits, the following permit applications are presented to Council: Town of O'Leary application to amalgamate PID 41566 and 41574 to make one lot for development of retail outlet; Town of O'Leary application to subdivide PID 43661 and 721464 to 17 lots for residential development. Approved on a ***motion by D. MacKinnon, seconded by B. Adams and carried.***

C. Reports from Departments

- **Properties** - Darren reported he's been working on potential project for kids' splash pad. Also asked that Bev check with Province again on CN release.

- **Development** - Blake advised that subdivision is progressing well, culverts are in and will be paving soon. There's been some interest in the lots. The retail outlet is behind schedule but fit up should start soon. Discussion held on penalties for delay in completion. Change orders for retail outlet sent out in email.

Resolution for Change Orders: Whereas Home Hardware parking lot is on Town property by one foot, the separation between two lots will be two feet instead of three and filled

with gravel; Whereas unsuitable fill was found during foundation excavation and had to be removed and replaced it with shale at an extra cost of approximately \$11,000; and Whereas costs for Maritime Electric to relocate power poles was higher than estimated; Therefore be it resolved that these change orders be approved but with separation between two parking lots to be a raised grass area instead of gravel. Three change orders approved as above on a ***motion by D. MacKinnon, seconded by C. Ferguson and carried.*** (Note - information was received from Coles that grassing the area would not create the drainage needed so email was circulated and gravel to remain.)

Moved by B. Adams, seconded by C. Ferguson and carried that sign for sale of subdivision lots be purchased at Sign Station for \$513 including tax and to include changes discussed.

Moved by B. Adams, seconded by C. Ferguson and carried that official name of subdivision be Pate Garden Subdivision and new street to be an extension of Pate Garden Drive.

- ***Fire Department*** - Fire Chief's report for June - August was circulated to Council. In Marvin's absence, Bev noted that Fire Department is purchasing a new gas monitor and the questionnaire for potential members was circulated to Council.

- ***Recreation*** - Jess's first report was circulated. Successful events included Canada Day, Potato Blossom Festival and Eastern Canadians. The Terry Fox Run is scheduled for September 16th, plans are underway for the 5th Annual Hockey Classic and after school programming.

- ***Police*** - RCMP reports for June, July and August were circulated to Council. No officer present this evening.

- ***Sanitation*** - Eric mentioned the lagoon is struggling with high CBOD and TSS levels plus a toxic blue-green algae has developed which is a contributing factor to the high levels. WSP's report on this issue has been circulated to Council and it suggested a couple of methods to correct the situation. They are very costly. The report has also been sent to Morley Foy, Engineer with the Department of Environment. A meeting to be organized with all parties involved to discuss solutions and funding if necessary. Motor and pump at lift station is possibly due for replacement. Door handle on maintenance truck to be repaired at a cost of about \$500 - Approved on ***motion by D. MacKinnon, seconded by C. Ferguson and carried.***

D. Fees Bylaw # 2018-08 second reading - To be tabled at next meeting due to reconsideration of fee amounts.

E. Remuneration Bylaw # 2018-07 second reading -

Whereas the Municipal Government Act requires a bylaw to authorize the municipality to establish the types, rates and conditions of payments to be made to or on behalf of a member of the Council, a member of a Council Committee or another person; And whereas the Remuneration Bylaw # 2018-07 was read and formally approved a first time at the Council meeting held on June 14, 2018; Therefore be it resolved that the Remuneration Bylaw # 2018-07 be hereby read a second time. ***Moved by Darren MacKinnon, seconded by Carol Ferguson and carried.***

Whereas the Municipal Government Act requires a bylaw to authorize the municipality to establish the types, rates and conditions of payments to be made to or on behalf of a member of

the Council, a member of a Council Committee or another person; And whereas the Remuneration Bylaw # 2018-07 was read and approved at two separate meetings of Council held on different days; Therefore be it resolved that the Remuneration Bylaw # 2018-07 be hereby formally adopted. **Moved by Darren MacKinnon, seconded by Blake Adams and carried.**

F. Staff holidays - In camera

G. Confirm support to O'Leary Junior Eagles Softball team - Moved by D. MacKinnon, seconded by C. Ferguson and carried that Council's decision by email/phone to donate \$250 to the O'Leary Junior Eagles Softball team, be confirmed.

H. Confirm support to Sr. Men's Softball team - Moved by C. Ferguson, seconded by D. MacKinnon and carried that Council's decision by email/phone to donate \$250 to the O'Leary Sr. Mens' Softball team, be confirmed.

I. Confirm support to 2023 Canada Games Bid Committee - Moved by D. MacKinnon, seconded by B. Adams and carried that Council's decision by email/phone to provide a letter of support to the 2023 Canada Games Bid Committee, be confirmed.

J. Confirm sale price of subdivision lot - Moved by B. Adams, seconded by C. Ferguson and carried that Council's agreement to sell Lot # 8 of Pate Garden Subdivision to P. Murphy.

K. Confirm purchase of gift for Jeff Ellsworth - Moved by C. Ferguson, seconded by B. Adams and carried Council's decision by email/phone to purchase \$75 gift card for Jeff, be confirmed.

L. Change in pastor and day for church rental - As noted in fees policy, rent for Saturdays to be \$75 + taxes. If changed back to Sunday mornings, \$50 + taxes.

M. Request for donation to Soccer Club - Moved by B. Adams, seconded by C. Ferguson and carried Council donate \$75 to PEI FC U17 Boys Soccer Club.

N. Other business & correspondence:

- Quotes were received for replacement of **rear tractor tires**. **Moved by D. MacKinnon, seconded by C. Ferguson and carried** that O'Leary Tire Centre quote for \$2861.78 be accepted.
- Council noted that Pate Garden Subdivision lots for sale sign be added to Town website.
- Request for donation from PEI Military Family Resource Centre be denied.
- Letter received from Springfield West - O'Leary Baptist Church re cannabis retail outlet was read. No action.
- Thank you notes received from PEI Potato Blossom Festival and O'Leary United Church.

7. COMMITTEE OF THE WHOLE

Moved by B. Adams, seconded by C. Ferguson and carried that Council adjourn to

committee of the whole session at 6:40 pm.

Moved by M. MacDonald, seconded by C. Ferguson and carried that regular meeting reconvene at 7:15 pm.

Results from Committee of the Whole

Staff holidays discussed but no changes made.

Prices on Pate Garden Subdivision lots discussed.

Recreation Director position contract ending September 30, 2018. To arrange a review meeting with director, Eric, Carol and I with results reported at October 11th Council meeting.

8. ADJOURNMENT

Meeting adjourned at 7:18 pm on a *motion by B. Adams, seconded by D. MacKinnon and carried.*