

## REGULAR COUNCIL MEETING

October 11, 2012

Present: Vice Chair Dana Harris; Councillors Frances Dewar, Eric Gavin, Blake Adams and Linda Stetson; Administrator Bev Shaw; Media - Zach Metcalfe (Graphic).

Regrets: Chairperson Nancy Wallace and Councillor Adrienne MacDonald.

Vice Chair Harris called the regular meeting to order at 6:30 and declared a quorum present.

The agenda with additions - Recreation department funding application; Complex window tenders; and Official Plan review - was approved on a *motion by B. Adams, seconded by F. Dewar and carried.*

### Minutes

The September 13, 2012 regular council meeting minutes were reviewed for errors and omissions. On a *motion by E. Gavin, seconded by L. Stetson and carried* the minutes were approved.

### Business arising from minutes:

-No response from Future Tech West re Wendi's funding.

- Bev contacted the previous web site host and they hadn't removed the site even though we hadn't paid the fee. They've been advised again that we will not be hosting with them and the site has been removed.

- Tommy Clements has been working with Dale for the past 3 weeks.

### Financial Business:

Financial report for June - August, 2012 was supplied to council members at the September meeting but review and approval was postponed until this meeting.

Financial report for June - August, 2012 was approved on a *motion by L. Stetson, seconded by B. Adams and carried.* June - August revenue: general \$176,743.41; sewer \$49,812.81. June - August, 2012 expenses: general \$213,727.77; sewer \$18,801.33. Bank balances at end of August, 2012: general <\$80,786.42>; sewer \$70,202.24. Budget update to end of August was circulated to Council.

Financial report for September, 2012 was approved on a motion by *E. Gavin, seconded by F. Dewar and carried.* September revenue: general \$113,760.14; sewer \$2,857.31. September expenses: general \$68,168.75; sewer \$40,420.00. Bank balances at the end of September: general (\$59,335.44); sewer \$30,132.49. Budget up to end of September was circulated to Council.

## NEW BUSINESS

Reports from departments

Chairperson's report

Not available.

Election reminder

Municipal elections are being held November 5<sup>th</sup> at 7 pm. Council was urged to consider re-offering and to encourage other residents to take an interest.

Unightly premises

Bev advised that letters of complaints from O'Leary Farmers Co-op, re 504 Main Street and Eric Gavin, re 5 Willow Avenue, were received about properties being in unsightly condition. According to the Community of O'Leary Property Standards and Upkeep Bylaw #10-2000 such letters are required before Council can take action.

Resolution to designate an agent to inspect the properties:

WHEREAS a letter of complaint has been received regarding 504 Main Street, O'Leary being unsightly;

AND WHEREAS, it is required by the Community of O'Leary Property Standards and Upkeep Bylaw #10-2000 to have such a resolution;

BE IT RESOLVED that the Community of O'Leary appoint Administrator Bev Shaw to inspect this property for unsightly condition.

Resolution approved on a *motion by B. Adams, seconded by E. Gavin and carried.*

WHEREAS a letter of complaint has been received regarding 5 Willow Avenue, O'Leary being unsightly;

AND WHEREAS, it is required by the Community of O'Leary Property Standards and Upkeep Bylaw #10-2000 to have such a resolution;

BE IT RESOLVED that the Community of O'Leary appoint Administrator Bev Shaw to inspect this property for unsightly condition.

Resolution approved on a *motion by L. Stetson, seconded by F. Dewar and carried.*

Administrator Bev Shaw reported that she has inspected the properties externally and declared that they are unsightly and recommended that a Notice of Unightly Property be posted on the buildings at 504 Main Street and 5 Willow Avenue plus a letter indicating our intentions and a copy of the order and the bylaw be mailed, using Registered Mail, to the property owners. The order to read that property owners become compliant within 30 days and if no compliance is made, Council has the right to demolish the structure, remove and dispose of all debris and contents, provide fill and leveling of the site and the cost of these actions shall be borne by the property owners. To collect the costs Council can register a lien against the property through a court judgement or attach a work order to the property. In either case this will follow the property in the event of ownership change. To contact our lawyer to determine how this is done.

Resolution to accept recommendations and commence action:

WHEREAS it is required by the Community of O'Leary Property Standards and Upkeep Bylaw #10-2000 to, by council resolution, accept the recommendations of Administrator;

BE IT RESOLVED that Administrator be directed to deliver a Notice of Unightly Property to Norman Buchanan, owner of 5 Willow Avenue, O'Leary. The notice to direct Mr. Buchanan that he has 30 days to comply with the Community of O'Leary Property Standards and Upkeep Bylaw #10-2000 by either repairing the structure or demolishing the structure, removing all debris and contents, filling and leveling the site. To also advise that if the property is not compliant within 30 days, that the Community of O'Leary may demolish the structure, remove and dispose of all debris and contents, fill and level the sites and that the cost of these actions will be the property owner's responsibility.

Resolution approved on a *motion by L. Stetson, seconded by B. Adams and carried.*

WHEREAS it is required by the Community of O'Leary Property Standards and Upkeep Bylaw #10-2000 to, by council resolution, accept the recommendations of Administrator;

BE IT RESOLVED that Administrator be directed to deliver a Notice of Unsightly Property to Douglas B. Young and Clifford McQuaid, owners of 504 Main Street, O'Leary. The notice to direct Mr. Young and Mr. McQuaid that they have 30 days to comply with the Community of O'Leary Property Standards and Upkeep Bylaw #10-2000 by either repairing the structure or demolishing the structure, removing all debris and contents, filling and leveling the site. To also advise that if the property is not compliant within 30 days, that the Community of O'Leary may demolish the structure, remove and dispose of all debris and contents, fill and level the sites and that the cost of these actions will be the property owner's responsibility.

Resolution approved on a *motion by E. Gavin, seconded by F. Dewar and carried.*

Christmas decorations

It was *moved by B. Adams, seconded by F. Dewar and carried* that the Community purchase 14 candy cane decorations created by The Village Florist, attaching them to alternate light poles, for a cost of \$35.00 each. The wreaths won't be purchased this year.

Signage for complex user

A complex user requested permission to attach a 4' x 8' sign to the stair railing and/or a sign on the Complex sign located at the entrance. Council did not agree with this idea but allowed the user to hang his sign just on the day of rental.

Old administrator counter

A couple of people have asked if they could have the old counter. Council agreed that the first person to ask be allowed to take it.

Reports from departments:

Streets and Sidewalks

Frances reported the streets and sidewalks appear fine. Dana noted that a pothole was starting on Centennial Avenue. Bev to contact Highways.

ADIC

Frances and Linda have met with Stacie and she is still waiting for electrician to fix the light ballast. Also waiting to hear from MADD and Credit Union about a donation towards a new TV. Dana offered his old TV to the ADIC.

Police

Cst Pat O'Connor attended our meeting. Dana read the September report from RCMP. In September they spent 197 hours on O'Leary business and responded to 23 calls. The following is a breakdown of the Provincial Statutes for September: 3 non-moving traffic violations, 1 Seat belt violation, 1 Liquor Control Act violation, 1 Trespass to Property Act violation, and 8 written warnings. Five criminal background checks were completed.

Sanitation/Buildings

Eric and Blake reported that another power surge has occurred due to a malfunction of the generator. Several power surge protection bars had to be replaced, as well as repairs to the hot water heater, every geo thermal heating unit and some fire department equipment. The electricians were able to find the problem this time with the generator and it has been repaired. Ron's Plumbing and the engineer has

been up to look at reasons for the geo thermal units to be leaking. They seem to be repaired but they plan to check them again and there is no guarantee that it won't happen again.

They reported that two sewer manholes were uncovered from asphalt which left a couple of holes. Highways were supposed to provide new asphalt but their crew was laid off and we have to hire someone to do it. Damage was done to Bentley MacDonald's car (\$136.23) as a result of hitting one of these holes and due to the circumstances it was *moved by L. Stetson, seconded by B. Adams and carried* that the Community reimburse MacDonald.

Potato Blossom Festival

Not available.

Fire Department

The fire department attended to 12 calls this past month - 5 medicals, 4 vehicle accidents, 1 Hazardous material call, 1 straw fire and 1 carbon dioxide alarm. Training included a ground search and rescue exercise using a grid search and the thermal camera and pump training. At a recently attended PEI Firefighter Association meeting, it was proposed that a uniform billing procedure for vehicle accidents be drafted. Monthly mutual aid meeting was also attended. Equipment purchases included a fuel tank puncture seal kit. An open house will be held on October 13<sup>th</sup> for Fire Safety Week.

Recreation

Tylan's monthly report was circulated to Council. Preparations and planning are underway for the Under 16 Nationals as well as for the new Up West Winterfest. The fall flyer is being mailed out the first of next week. Twelve co-ed ball tournaments were held during the summer and the Terry Fox Run held recently raised \$265.

Building/Business permits

Building:

Permit # 09-2012 to B & B Pharmacy Ltd., extension to pharmacy for medical clinic at 536 Main Street, valued at \$100,000.

Permit # 10-2012 to Nancy Wallace, private storage building at 10 Maple Street, valued at \$2300.

Permit # 11-2012 to Tamara Currie, addition to private residence to be used for in home business, at 43 Parkview Avenue, valued at \$36,000.

Business:

Permit # 2012-4 to Gar Wilkins for nursery and small retail outlet at 15 Chestnut Avenue.

**Correspondence and other business:**

*Recreation funding application* - The Recreation Department is seeking funding from the Island Community Fund and ACOA (Community Infrastructure Improvement Fund) to upgrade ballfields. Project to include improving drainage at Ellis Field, electronic scoreboards, protective netting and small tools for maintenance, tenting, and construction of canteen, storage and washroom facilities at Rink field. Total project estimated at \$30,000.00. It was *moved by E. Gavin, seconded by L. Stetson and carried* that the Community of O'Leary (Recreation Department) make application to the Island Community Fund and Community Infrastructure Improvement Fund to upgrade the Ellis Field and Rink Field and that the project be designated as priority number one. The O'Leary Community Council understands and commits that it will be responsible for its' designated share of the total eligible costs of the project and will assume responsibility for any and all operating and maintenance costs resulting from the project. Total project cost approximately \$30,000.00.

*Window tenders* - Tenders for replacement of 9 complex windows were reviewed. It was ***moved by B. Adams, seconded by L. Stetson and carried*** that project be awarded to SJG Construction for \$8200.00 plus taxes to be completed by December 31, 2012.

*Official Plan & Development Bylaw* - Three quotes for update and review of Official Plan and Zoning and Subdivision Control Bylaw were reviewed. It was ***moved by B. Adams, seconded by F. Dewar and carried*** that P. Wood & Associates bid for \$47355.00 be accepted.

*Thank you note* received from Shirley Beamish.

*Fire Department honorarium request* - The department members passed a motion in January, 2012 that Council be approached for a \$200 increase in honorariums. Council did not disagree with the increase request but didn't approve it. It was felt that the department bylaw needs to be clarified and amended to deal with eligibility of the mileage component of the honorarium.

Correspondence received from Provincial Municipal Affairs department stating that *amendments to Provincial Planning Act* must be reflected in our official plan and development bylaw. Bev to look into this further to see if it can be dealt with during our Plan review and update.

The meeting adjourned at 7:55 pm on a ***motion by L. Stetson, seconded by F. Dewar and carried.***