

**MINUTES
GEORGETOWN TOWN COUNCIL
10/15/2007**

The regular monthly meeting of the Georgetown Town Council was held in the Council Chambers on Monday, October 15, 2007, at 7:00 p.m.

Council Attendance: Mayor Peter Llewellyn
Deputy Mayor Lewis Lavandier
Councillor Peggy King
Councillor Faye McQuillan
Councillor Wade Williams
Councillor Barry O'Brien
Councillor Craig Murphy

Agenda: Monday, October 15, 2007

Moved for approval without additions: Councillor Williams
Second: Councillor O'Brien. Motion Carried.

Business from Floor or Other: None

Conflict of Interest Provision

Declaration under the *PEI Municipalities Act*: Part VI, Section 23 of the *PEI Municipalities Act*, which maintains that no member of Council shall derive any profit or financial advantage from his/her position as a member of Council and, where a member of Council has any pecuniary interest in or is affected by any matter before the Council, shall declare his/her interest therein and abstain from voting and discussion thereon. None declared.

Minutes of the Last Meeting: September 17, 2007

Moved for adoption: Councillor Williams
Second: Councillor O'Brien Motion Carried.

Business from Minutes: None

Financial Statements:

General Account:

Moved for adoption: Councillor O'Brien
Second: Councillor Williams Motion Carried.

Sewer Corporation:

Moved for adoption: Councillor O'Brien
Second: Councillor Williams Motion Carried.

Outstanding Expenditures:

Moved for approval as presented: Councillor O'Brien
Second: Councillor Williams Motion Carried.

Correspondence:

1. ACOA / Honourable Peter MacKay: Invitation to Mayor Llewellyn to the Atlantic Art of Success.
2. Theresa Gotell: Thank you card to Mayor & Council for Sept. 10 – Cruise with Cruise Manada.
3. Jennifer Ghiz: Invitation to attend Oct. /Nov. 2007 Practice Focus Groups.
4. Borealis Lights: Offer to purchase lighting.
5. PEI Advisory Council on the Status of Women: Annual purple ribbon campaign.
6. ACOA – Correspondence to Councillor Murphy acknowledging receipt of Sept. 6 correspondence and claim form package for the Outlooks Project.
7. PEI / Clear – Water Resources: Results Sample #207688 at the Georgetown lagoon.
8. United Way: Donation request; unanimous decision of Council that this request be deferred to finance committee.
9. Gordon Lavers: Request to utilize Gardens Craft Shop for 2008 season. Council agreed that the current plan was to continue with the Craft Shop arrangement the same as last year.
10. Community Cultural Affairs/Samantha Murphy: Correspondence reminding Council that the Official Plan and Bylaw were past due for review. Administrator advised that she responded to Ms. Murphy updating her with the information that the Planning Committee were in the process of working on a Terms of Reference to contract a planner and would expect the review in the new year.
11. Laird Tree Care: Tree planting recommendations.
12. Industry Canada: New procedures for installing **Radio Communications and Broadcasting Antenna Systems**.
13. Province of PEI – Press Release: Notice of 2.65 Million approved towards Infrastructure Projects to Strengthen Island Communities.
14. Safe Kids Canada: Information on campaign on Safe Kids Week and Pedestrian Safety.
15. KJK Inn's & Suites: Correspondence to Council requesting to secure options for a six month period on acquisition of a parcel of property from the Town across from Holland College to construct rental units. Councillor Lavandier advised that he would respond to request by KJK Inn's and Suites and schedule a meeting.
16. Shirley Clory: Correspondence expressing her general concern/complaint regarding dogs at the Georgetown Housing Authority subdivision. There was general agreement of Council that a meeting be set up with Council and the Housing Authority to discuss this concern.

17. FCM Members Advisory - Semi-Annual Meeting Registration Form Federation PEI Municipalities -Flyer for Semi-Annual Meeting – November 17, 2007 at Abram-Village. Council members to advise Administrator if they plan to attend.
18. Kings County Construction: Estimate submitted to supply and install three, four inch sewer laterals on Kent Street for the Tennis Courts, A. A. Macdonald Gardens and ball fields. Council discussed this matter and agreed that additional estimates be requested. Councillor Williams will contact ADI for an opinion
19. Points East Coastal Drive: Information on Small Business Week – October 15 to October 18.
20. Eastern PEI Chamber of Commerce/Mary Elliott: Small Business Week informational brochure.
21. PEI Cultural Sector Council/Julia Pike: Notice of last call for Time Management Workshop Registration.
22. The Gregory Family: Request of donation/support for Wayne Gregory Family. Council agreed that the Finance Committee review.

COMMITTEE REPORTS

Finance, Government Relations:

Mayor Peter Llewellyn advised that he had no report this month.

Public Works, Property, Main Street Programs & Utilities:

Councillor Wade Williams reported:

Sewer Corporation: Sewer blockage at Senior's Unit on Kent Street last week.

Site meeting at lagoon this week to discuss landscaping repairs.

Sewer laterals for gardens, ball field and tennis courts estimated to cost \$12,000.00, each lateral would run about \$4,000.00.

Public Works: Water improvements are progressing well. Contractor will be repairing some broken sidewalk due to work. Landscaping will be done as well.

Public Works will use remaining budget (5610) towards sidewalk improvements on Kent Street. Waiting for water improvements to see where it is most needed.

East Street and Victoria Street have been ditched and graded. Waiting for granular material to finish streets. TPW also patched holes in front of East Isle Shipyard Entrance.

Meeting this week, with Darrell Fisher (ADI), to discuss scope of work for Water Street reconstruction. Looking for a more accurate and updated cost for the project.

Tenders for Snow Plowing and Ice Control 2007/2008 undesignated streets, (7.1 kilometers.) One tender received from Kings County Construction Ltd., in the amount of \$35,958.00 (including applicable taxes).

Tenders for Snow Removal and Ice Control Municipal Facilities 2007/2008 One single tender received from Percy Henry \$2,500.00 + GST \$150.00 Total Cost \$2,650.00.

- **Motion made by Councillor Lavandier to accept Kings County Construction Ltd. For Snow Plowing and Ice Control 2007/2008 as per specifications at a cost of \$35,958.00 (including taxes), seconded by Councillor O'Brien. Carried**
- **Motion made by Councillor King to accept Percy Henry for Snow Removal and Ice Control Municipal Facilities 2007/2008 as per specifications at a cost of \$2,650.00, seconded by Councillor O'Brien. Carried.**

Community and Media Relations

Councillor Faye McQuillan reported:

Three prices received to offer a tour for the Seniors Group ranging from \$500 to \$600. Committee will have to meet before any further decision on a tour package. Michael Gallant has volunteered to assist with the Remembrance Day service. Councillor McQuillan requested a key to be made available for access to the Playhouse on Wednesday.

Three Rivers Sportsplex:

Councillor Peggy King reported:

Renovations: The renovations have been completed at the Sportsplex. Newly painted dressing rooms of white, red and black look great. Additions of new showers and toilets add great volume to these areas. Newly painted canteen and added windows makes it much brighter. The additions of new floor mats to the dressing rooms are spectacular! Great Job!

Abbies: First game was held on Saturday, October 13, 2007. Crowd was great. Over 300 people paid at the door. This does not include approximately 50 children (or more) and season ticket holders. The Abbies organization was very pleased with the crowd and gave high recognition to the board and management for the great work that went into this event to make it a success. High hopes are set for the next 6 games to be an even greater success than the 1st game.

Cavendish Farms: The Sportsplex has accepted an agreement with Cavendish Farms. They had the Zamboni repainted and put their advertising on it. Cost

around \$4,500.00 in exchange for the Canteen to sell their french fries for the next 5 years.

New Member: Sharon Doucette has put her name forward for the Board of Directors of the Three Rivers Sportsplex.

- **Moved by Councillor King, seconded by Councillor Murphy that Sharon Doucette be approved as new member of the Board of Directors. Carried.**

Overall since the opening of the Three Rivers Sportsplex Oct 11/07 ice rentals have been steady. The community of Morell is not opening their facility until the end of October so we have been fortunate enough to pick up a lot of their ice times. This is great for our facility.

Fire Department, Recreation / Youth:

Councillor Barry O'Brien reported:

Plan to meet with school this week and discuss motivational and u-fit programs.

- **Moved by Councillor Murphy, seconded by Councillor O'Brien that the Minor Hockey Committee be contracted to provide Halloween Curfew Patrol again this year as per budget cost. Carried.**

Fire Chief's Report: Report from Fire Chief Allan Gallant submitted as follows:

Date	Business
September 24th	<u>Meeting</u> - - -
October 7th	<u>Assist Island EMS First Responder Call</u>
October 9th	<u>Visit Georgetown School to speak with all students regarding Fire Safety</u>
October 9th	<u>Work party at Fire Hall</u> -
October 10th	<u>Open House Fire Hall</u> - - -
October 13th	<u>First responder call to assist Island EMS</u>
<p>Annual Meeting will be held on November 24, 2007 Mayor and Council invited to attend. Election of Officers and Medal Presentations on the agenda. RSVP Cheryl Perry</p>	

King's Playhouse:

Councillor Murphy reported:

Unable to attend the last few meetings but keeping up to date on activities. George Canyon is sold out. They are also putting on a fundraiser for this event. They have an interesting line up for the next few months.

Community Planning & Development:

Councillor Lewis Lavandier reported:

We are hoping to meet with ACOA & HRDC to decide the starting date for the West Street Beach & Lookout Project this week.

The Planning Committee is looking forward to meeting with the individuals that are expressing interest in starting some new business ventures for next year, also an expression of interest received from a group that are interested in providing housing units for students at Holland College. This interest tells us that things are starting to move in the right direction in regards to more people moving to and working in our Town. We say bring it on!!

Community Heritage and Beautification:

Councillor Wade Williams reported:

Received quote to put flood lights and underground wiring to Town Entrance Sign. \$3,470.00 + GST. Not included – trenching and backfilling, Maritime Electric fees and GST. Due to the cost the matter will be deferred until next year.

Heritage River Plaque has been removed and shipped back. New plaque is being made with correct name.

Tree Plan from Laird's.: List of recommended trees has been given. Will be planting some trees on Kent Street this week (Grafton Street to Woods Lane). This will start the overall planting scheme for the Town. As water improvements on Kent Street are completed, we will move toward the Head of Town - next year - Water Street reconstruction included, depends when completed.

Anglican Church is a landmark heritage site for Georgetown and discussion or suggestions that can help save this are needed. Outside windows are being broken and the priceless stained glass windows are in jeopardy of being broken. I have been pricing Plexiglass to cover windows and amounts needed. I think Council should be pro-active and do what it takes to save these windows. Cost to repair or replace will be expensive or lost permanently.

- **Moved by Councillor O'Brien, seconded by Councillor McQuillan that approval be granted to order exterior sheeting to protect windows at the Anglican Church. Estimated cost to be around Two Thousand, Five Hundred Dollars. Carried.**

Georgetown and Area Development Corporation:

Councillor Murphy reported the following:

At the annual meeting there were a few changes. Gordon Lavers has resigned from the Board. Cindy MacLean has accepted the position as Chair. Mark King is a new member. The Board plans to have a special meeting to address cost estimates to make the building more efficient to any possible proposed new tenants.

Administrator's Report

Kings Ferry Transit Service Proposal:

- Moved by Councillor Williams, seconded by Councillor O'Brien that a letter of Interest to be sent to Public Transit Capital Trust program requesting funding in the amount of \$300,000.00 towards one time capital costs to establish a Pedestrian Ferry Service between Georgetown, Lower Montague and Roma. Motion Carried.

Konica Minolta:

Proposal for replacement/upgrade of existing photocopier with a scanner, printer and photocopier compatible with new web site. Additional quotes to come in.

Web Site:

Work ongoing ... new feature is the plan to have it translated and available in French (this will be after completed and available online so there will not be cause for any more delay).

EMO:

EMO Plan Update – Work to start at committee level... template will be forwarded to Fire Chief .

Official Plan Review: Council Committee level to draft terms of reference.

Integrated Sustainability Plan: Information forwarded to Councillors for study before Terms of Reference drafted.

Regional Meeting: Attended meeting in Cardigan on September 18th – (Chaired by Derek Nicholson. October meeting scheduled for October 16th in Georgetown. Derek Nicholson arranged for Merrill Scott to speak on Wellness Centre, Adam Smith from Active Communities also requested to attend.)

New Business:

Bylaw for Municipal Offences, Penalties and Ticketing:

- Moved by Councillor Lavandier, seconded by Councillor Williams that First Reading given to the Municipal Offences, Penalties and Ticketing Bylaw as follows:

Bylaw for Municipal Offences, Penalties and Ticketing Town of Georgetown

Definitions

1. For the purpose of this bylaw:

- (a) “Act” means the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13 and associated regulations;
- (b) “Bylaw(s)” means any and all bylaws passed by the Council of the Town of Georgetown in relation, either directly or indirectly, to any of the following matters:
 - i) animal control;
 - ii) dangerous or unsightly premises;
 - iii) the parking of vehicles; or
 - iv) noise or public nuisance control;
- (c) “Bylaw Enforcement Officer” means an individual appointed under section 29.1 of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13;
- (d) “Council” means the Council of the Town of Georgetown;
- (e) “Municipality” means the Town of Georgetown;
- (f) “Municipal Offence Ticket” means a ticket that may be issued pursuant to a bylaw made under subsection 58.1(2) of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13; and,
- (g) “Person” includes a corporation.

Municipal Offences

- 2. Every Person who hinders or obstructs, or attempts to hinder or obstruct, any Person exercising a power or performing a duty of the Municipality in respect to the Act and/or the Bylaws is guilty of an offence and shall be prosecuted in accordance with the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9.
- 3. Every Person who contravenes a provision of the Act and/or Bylaws is deemed to have hindered or obstructed, or to have attempted to hinder or obstruct, a Person exercising a power or performing a duty of the Municipality in respect to the Act and/or the Bylaws and is therefore guilty of an offence in accordance with provision 2 herein.

Penalties

- 4. Every Person who has committed or who has been deemed to have committed an offence pursuant to this bylaw is liable on summary conviction of a fine not less than \$200.00 and not more than \$1,500.00.
- 5. Each day that an offence pursuant to provision 2 herein continues constitutes a new offence.

6. Every Person who has committed or who has been deemed to have committed a continuing offence as provided for in provision 5 herein shall be subject to a further fine not exceeding \$1,500.00 for each day during which the offence continues as permitted by section 58(2) of the Act which authorizes the Municipality to set the continuing cost of an offence.

Municipal Offence Ticketing

7. A Municipal Offence Ticket may be issued for an offence against any of the Bylaws as defined herein.
8. A Bylaw Enforcement Officer appointed pursuant to Subsection 29.1(1) of the Act, or any other Person having responsibility for the enforcement of a provision of any of the Bylaws, who has reasonable and probable grounds to believe and does believe that one or more Persons have committed an offence against any of the Bylaws for which a Municipal Offence Ticket may be issued, may issue a Municipal Offence Ticket, and such ticket shall be signed and sworn to before a justice of the peace or a provincial court judge by the Bylaw Enforcement Officer or other Person who issued the Municipal Offence Ticket.
9. Any Municipal Offence Ticket issued in accordance with this bylaw must be marked on its face to specify the nature and name of the Bylaws form the basis of the offence.
10. Any Municipal Offence Ticket shall be issued in the form attached hereto as a Schedule and shall include provision for the information, the summons, and a record for the Person who issues the Municipal Offence Ticket. This Municipal Offence Ticket shall be referred to as the Bylaw Offence Ticket for the Municipality or such other similar name as can easily be identifiable.

Enforcement

11. An offence against any of the Bylaws and/or the Act shall be prosecuted in accordance with the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9 or in the case of an offence against any of the Bylaws for which a Municipal Offence Ticket has been issued, in accordance with the terms of the Municipal Offence Ticket.
12. Application may be made by the Municipality to the Supreme Court of Prince Edward Island in relation to the enforcement of any of the Bylaws, such application to seek any such remedy or remedies as are provided for in Subsection 58(3) of the Act.
13. Notwithstanding provision 12 herein, every Person who contravenes or who has been deemed to have contravened a provision of any of the Bylaws, and against whom a Municipal Offence Ticket has been issued, shall have the option to pay the minimum fine as established in the appropriate Bylaw in lieu of contesting the Municipal Offence Ticket in Court.

Motion carried giving First Reading Municipal Offences, Penalties and Ticketing Bylaw.

Adjournment:

Moved by Councillor King, seconded by Councillor Murphy that the meeting be adjourned. Carried.

Minutes submitted by:
P. Gotell, C.A.O.

Attachment: Prescribed form:

CHAPTER M-13
MUNICIPALITIES ACT
MUNICIPAL OFFENCE TICKET REGULATIONS