

**Cornwall, Prince Edward Island
Regular Meeting of Council
Wednesday, September 21, 2022
4:30 PM**

Present: Mayor Minerva McCourt - presiding
Deputy Mayor Cory Stevenson
Councillor Elaine Barnes
Councillor Corey Frizzell
Councillor Judy Herlihy
Councillor Jill MacIsaac
Councillor Shane McGuigan

Also: Kevin Coady – CAO
Tracey MacLean – Engagement Coordinator

CALL TO ORDER

Deputy Mayor Cory Stevenson called the meeting to order at 4:30pm
There were three members of the public present.

LAND ACKNOWLEDGEMENT Read

APPROVAL OF THE AGENDA

Councillor Barnes moved, seconded by Councillor McGuigan, that the agenda be approved as circulated with the addition of “other business” in camera and the removal of section 9-d.

Motion Carried

DISCLOSURE OF PECUNIARY OR OTHER CONFLICT OF INTEREST

Mayor McCourt will recuse herself for section 10-f and Councillor McGuigan will recuse himself for section 9-f.

APPROVAL OF THE MINUTES

a) **August 17, 2022, Regular Council Meeting:** Councillor Barnes moved, seconded by Councillor MacIsaac that the minutes of August 17, 2022, Regular Council Meeting be approved as circulated with an adjustment to page 7 notes.

Motion Carried

BUSINESS ARISING

Nil

PRESENTATIONS

Nil

REPORTS OF COMMITTEES / RESOLUTIONS:

INFRASTRUCTURE

Reports & Resolutions

- a) **Minutes** – September 1, 2022.
- b) **Resolutions**

I-10-2022 ~ Tender Award – Parking Lots Snow Removal

Moved by Councillor **Elaine Barnes**
Seconded by Councillor **Cory Stevenson**

Whereas: The Town of Cornwall issued a tender for snow clearing maintenance from the parking lots at town owned municipal buildings for a 2-year contract for the period of 2022-2023 and 2023-2024,

And Whereas: one complete bid was received for the contract; the bid received was from Earthform Inc., in the amount of \$32,000 plus HST per year,

Therefore, Be it Resolved: That the Town of Cornwall enter into an agreement with Earthform Inc for the snow clearing maintenance of the parking lots during the winter for the Town municipal buildings.

Motion Carried

I-11-2022 ~ Tender Award – Community Gardens Bridge

Moved by Councillor **Elaine Barnes**
Seconded by Councillor **Judy Herlihy**

Whereas: The Town of Cornwall pedestrian bridge in Community Gardens Park is aging and in need of replacement,

And Whereas: A request for proposals was issued for the Community Garden Bridge Replacement Project, and 2 bids were received,

Therefore, be it Resolved: That the Town of Cornwall upon, and pursuant to, the recommendation of the Town's engineers, award the Community Garden Bridge Replacement Project to Gaudettes Transit Mix in the amount of \$ 55,200.00 plus HST.

Motion Carried

PLANNING COMMITTEE

Reports & Resolutions:

- a) **Minutes** – September 7, 2022
- b) **Resolutions**

PL-23-2022 ~ Appoint Development Officer – Spencer Hay

Moved by Councillor **Corey Frizzell**
Seconded by Councillor **Cory Stevenson**

Whereas: The Town of Cornwall provides development control within the Town boundaries, and as such the Planning Department requires Development Officers;

And Whereas: The Town hired Spencer Hay as Manager of Planning & Development, and he is familiar with the duties of a Development Officer;

Therefore, be it Resolved: Spencer Hay is hereby appointed as a Development Officer for the Town of Cornwall.

Motion Carried

PL-24-2022 ~ Appoint Property Maintenance Bylaw Inspector – Spencer Hay

Moved by Councillor **Judy Herlihy**
Seconded by Councillor **Cory Stevenson**

Whereas: The Town of Cornwall provides property maintenance control within the Town boundaries pursuant to the *Property Maintenance Bylaw*, and as such the Town requires the appointment of an Inspector pursuant to that bylaw;

Therefore, be it Resolved: That the Town of Cornwall appoints Spencer Hay as an Inspector under the *Property Maintenance Bylaw*.

Motion Carried

PL-25-2022 ~ Preliminary Approval – York Point Meadows

Moved by Councillor **Jill MacIsaac**
Seconded by Councillor **Cory Stevenson**

Be it Resolved: that Council grant Preliminary Approval of Phase One of York Point Meadows Subdivision as depicted in the Derek A. French Professional Services Inc. Drawing No. 20094-3B and dated May 25, 2022, subject to the Developer entering into a Subdivision Agreement with the Town.

Motion Carried

Councillor McGuigan left the meeting at 4:42pm

PL-26-2022 ~ Rezone Application – 522 Capital Drive

Moved by Councillor Cory Stevenson
Seconded by Councillor Elaine Barnes

Whereas: The Town received an application on August 3, 2022, to rezone 522 Capital Drive, being PID 245613 from Single Detached Residential (R1) to General Commercial (C1) to allow the construction of a 24-unit apartment building;

And Whereas: The application was reviewed by the Town Planning Staff and brought before the Town’s Planning Committee on September 7, 2022; the Committee considered the Town of Cornwall Official Plan and Zoning and Subdivision Control (Development) Bylaw #422, and the Committee recommends that the application be presented at a Public Meeting;

Therefore, be it Resolved: that the application to rezone 522 Capital Drive, being PID 245613 from R1 to C1 be presented at a Public Meeting pursuant to Section 22.2(4) of the Zoning & Subdivision Control (Development) Bylaw #422.

Motion Carried

Councillor McGuigan returned to the meeting at 4:45pm

COMMITTEE OF COUNCIL – Deputy Mayor Cory Stevenson

- (i) **FINANCE AND ADMINISTRATION**
 - Reports & Resolutions**
 - a) **Minutes – August 10, 2022**
 - b) **Comparative Income Statement**
 - c) **Resolutions**

FA-42-2022 Day of Peace Declaration

Moved by Councillor Cory Stevenson
Seconded by Councillor Elaine Barnes

Be it Resolved: That the Town of Cornwall declares September 21, 2022, as the International Day of Peace (World Peace Day) in the Town, and the Mayor is hereby authorized to issue a declaration to this effect.

Motion Carried

FA-43-2022 CHANGE Program – Use of Space Donation

Moved by Councillor Cory Stevenson
Seconded by Councillor Shane McGuigan

Whereas: The Town of Cornwall is a community that values the physical and mental health and wellness of its residents, and is committed to developing and investing in strategies that promote this wellbeing;

And Whereas: The Town has for the previous two years provided space, at no cost, to the Canadian Health Advanced by Nutrition and Graded Exercise (C.H.A.N.G.E.) Program;

And Whereas: The Town of Cornwall has been asked to donate the use of town space for the C.H.A.N.G.E. Program for another year;

And Whereas: The Town currently has space available and is interested in assisting this program;

Therefore, be it Resolved: That the Town of Cornwall donate the use of space in the Cornwall Civic Centre as requested, and considered at the Committee of Council meeting on September 14, 2022, excepting the dates that were noted as unavailable at that meeting.

Motion Carried

FA-44-2022 Courageous Companions Donation

Moved by Councillor Cory Stevenson
Seconded by Councillor Elaine Barnes

Whereas: Courageous Companions of Canada provides service dogs at no charge to injured veterans and first responders in Canada, is a 100% volunteer driven organization, and have requested that the Town of Cornwall purchase an advertising space in their Courageous K9 magazine,

And Whereas: The Town of Cornwall values the service provided by Canadian veterans and first responders and wishes to assist in the provision of no charge service dogs to injured veterans and first responders,

Therefore, be it Resolved: That the Town of Cornwall purchase a colour business card ad in the Courageous K9 magazine for the amount of two hundred and ninety-five dollars (\$295.00) plus applicable HST.

Motion Carried

Mayor McCourt left the meeting at 4:50pm – Deputy Mayor Stevenson assumed the Chair position.

FA-48-2022 Tremploy Donation

Moved by Councillor Elaine Barnes
Seconded by Councillor Shane McGuigan

Whereas: Tremploy assists individuals with intellectual disabilities to reach their potential, empowering them to participate in their community in a meaningful way, and is currently serving approximately 125 clients from the province in general and the Town of Cornwall in particular;

And Whereas: Tremploy’s current facility on Raider’s Road in Charlottetown was designed in the 1970’s and is not accessible and does not support the current programming requirements of the clients and Tremploy is therefore constructing a new facility in the West Royalty Bio Commons;

And Whereas: The Town of Cornwall values the programs and services that Tremploy provides and wishes to support the organization and its new facility;

Therefore, be it Resolved: That the Town of Cornwall donate \$500 to Tremploy to aid in the construction of their new facility.

Motion Carried

Mayor McCourt returned to the meeting at 4:52pm and resumed as Chair.

(ii) MUNICIPAL SERVICES
Monthly Reports were included in the package.

- 1) Reports & Resolutions**
 - (a) Humane Society Report**
 - (b) Fire Department Report**
 - (c) Police Report**
 - (d) Bylaw Enforcement**
 - (e) Transit**
 - (f) Engagement.**

iii) PARKS & RECREATION
a) Monthly Report: Did not meet.

CORRESPONDENCE

- Mayor McCourt reminded the Council that the Cenotaph Service would be taking place on Sunday at 2pm.
- Deputy Mayor Stevenson noted that the Ramblers and CAMBA recently had medal presentations and congratulated all sports groups on a successful season.
- Deputy Mayor Stevenson noted that the Citizens on Patrol is still looking for volunteers. Chair Forrest was in attendance and when asked said they need 4 more volunteers for patrols.

OTHER BUSINESS

IN CAMERA

It was moved by Councillor Barnes and seconded by Councillor McGuigan that the meeting move “In Camera” at 5:12pm to consider a matter pursuant to MGA s.119(1)(f).

The meeting resumed regular session at 5:35pm.

F/A-45-2022 ~ Ministerial Inquiry

Moved by Councillor **Elaine Barnes**
Seconded by Councillor **Judy Herlihy**

Whereas: The *Municipal Government Act*, pursuant to section 119, enables municipal councils to conduct meetings, either in whole or in part, that are closed to the public;

And Whereas: Section 119 also enables a municipal council to request that the Minister responsible for the Act, conduct an inquiry into whether information from a closed meeting of a municipal council was disclosed outside of that meeting prior to the matter being properly disclosed in a public forum;

Therefore, be it Resolved: That the Town of Cornwall request, pursuant to subsection 119(7) of the *Municipal Government Act*, that the Minister of Communities and Fisheries conduct an inquiry to determine if, and how, any matter discussed by council in the closed session of the regular council meeting held August 17, 2022, was disclosed prior to the matter being properly disclosed in a public forum.

Motion Carried

F/A-46-2022 - Cleanup Order

Moved by Councillor **Elaine Barnes**
Seconded by Councillor **Judy Herlihy**

Whereas: The Town of Cornwall has issued several Notices of Violation regarding the property at 23 Pamwayne Drive in the Town of Cornwall, with the latest notice dated September 9, 2022;

And Whereas: The owner of the noted property has not complied with these notices, and Town staff have attempted to deal with this matter by other means, but the owner is now not responsive to inquiries from the Town regarding this matter;

Therefore, be it Resolved That the Town of Cornwall orders the owner of 23 Pamwayne Drive to comply with the Town of Cornwall *Property Maintenance Bylaw #221* by removing the garbage and debris in the front yard of the property and cutting the lawn area of the property so as to not allow the grassed area to be beyond the height of six inches;

And be it further Resolved: That this order shall be complied with by 4:00pm October 14, 2022, and if this order is not complied with Town staff are authorized by this resolution to carry out, or have carried out, the necessary work to remedy the contraventions outlined in this resolution;

And be it further resolved: That any and all costs for the carrying out of this order by the Town are a debt due and owing to the Town, and may be recorded as a lien against the property.

Motion Carried

ADJOURNMENT

The meeting was adjourned at 5:40pm.

MAYOR

CHIEF ADMINISTRATIVE OFFICER