

Minutes
Resort Municipality Monthly Council Meeting
Monday, June 17, 2019
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on June 17, 2019 at the Cavendish Visitor Information Centre.

PRESENT: Mayor Jelley, Deputy Mayor Linda Lowther, Councillors: George Clark Dunning, Bill Drost, Kenny Singleton and Lee Brammer. CAO – Brenda MacDonald.

ABSENT: Chris Robinson.

VISITORS: Jennifer Stewart & Gerard McMahan (Parks Canada), Stig Andersen, Jim Brown, Hennie and Harmon Hoekstra and Richard Moore.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:08 p.m.

2. APPROVAL OF AGENDA:

It was moved by Deputy Mayor Lowther, seconded by Councillor Singleton that the agenda be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

3. APPROVAL OF COUNCIL MEETING MINUTES MAY 27, 2019:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the Council Meeting Minutes of May 27, 2019 be adopted as amended. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

4. DECLARATION OF CONFLICT OF INTEREST:

Mayor Jelley declared a conflict of interest under Section 7C and 7D of the planning board report.

Deputy Mayor Lowther declared a conflict of interest under Section 7.C of the planning board report.

5. PARKS CANADA:

Jennifer Stewart and Greg McMahan provided updates on behalf of Parks Canada.

- Green Gables House entrance is being widened and the interpretive centre is open. They are working on exterior signage at the site with an application being submitted for review at the meeting.
- There will be panels installed at the site as part of the literary tour.
- Grahams Lane Kiosk is still being worked on and is expected to be completed in July.
- Updates were provided on the leased farmlands. Parks will be in touch shortly with the farmers regarding putting out the lease on the lands that were leased to the Stevenson's.
- The Park view plane near the Tourist Mart will be cut or ploughed this year.
- Updates were provided on Cavendish Beach walkway that is expected to be completed in the next two weeks.
- There has been a new steel roof and siding installed at the canteen building.

Public Comments and Questions:

Jim Brown asked if he could receive a copy of the letters that were submitted on the Park property.

Jim Brown was advised that a request in writing would have to be submitted and it would be reviewed at the next Council meeting.

Richard Moore commented on the leased lands and noted that there are several farmers that would be interested in separate pieces of the leased lands that the Stevenson's had. He also advised that one of the farmers could cut the hay on the land near the Cavendish Tourist Mart for the summer if Parks requested them to.

Jennifer Stewart thanked Richard for the information and advised that the information would be taken into consideration and that Parks will get back to the farmer's on the leased land.

6. COMMITTEE REPORTS:

Cavendish Beach Music Festival (8776 Cavendish Road) – PID # 1037423 – The final stamped engineered drawing for the main tent has been provided.

Cavendish Beach Music Festival (Road Access) – PID # 566869 (227 Forest Hills Lane) – The letter from KOA has been provided allowing them access for the vehicles on Forest Hills Lane. – Awaiting bond and development agreement.

Sea Cross Inc. – PID # 232033 (Parking) – (8779 Cavendish Road) – an application was received to have parking on the property from July 5 – 7, 2019 for the Cavendish Beach Music Festival. Awaiting bond and development agreement.

Raspberry Point Oyster Company (Parking) – PID # 232041 (Cavendish Road) an application was received to have parking on the property from July 5 – 7, 2019 for the Cavendish Beach Music Festival. Awaiting bond and development agreement.

Cavendish Beach Music Festival Inc. (Signage) – An application was received to locate signs on the property for the Cavendish Beach Music Festival. Awaiting bond and development agreement.

Cavendish Tourist Mart – PID # 233130 - 8934 Cavendish Road – an application was received to have temporary parking on the property from July 5 – 8, 2019. Awaiting bond and development agreement.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a pedal bus shuttle on the property from July 5 – 7, 2019. Awaiting insurance paperwork.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to locate a RBC shipping container on the property. Stamped drawings have been received. Awaiting bond and development agreement.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – an application was received to locate an RCMP trailer at the top of the site. Awaiting bond and development agreement.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – to locate a Bell Viewing Structure on the site. Stamped drawings have been received. Awaiting bond and development agreement.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – an application was received to locate a Monster Energy structure on the site. Stamped drawings have been received. Awaiting bond and development agreement.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – an application was received to locate a Toyota structure on the site. Stamped drawings have been provided. Awaiting bond and development agreement.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – an application was received to locate a Bacardi structure on the site. Stamped drawings have been provided. Awaiting bond and development agreement.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – an application was received to have a small tent instead of a structure for Soleil on the site. Awaiting bond and development agreement.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – 19+ bracelets. The LCC and Council have approved the removal of the practice of providing bracelets for 19+ for a one year trial basis.

Sea Cross Inc. – PID # 1037423 – 8779 Cavendish Road – An application was received to have a pedal bus shuttle on the property from July 5 – 7, 2019. Awaiting insurance paperwork.

Cavendish Beach Music Festival - PID # 1037423 – 8779 Cavendish Road – Jeff and Brodie are still working to secure overflow parking and hoping to gain 100 spots at Sandspit.

Stuart Drummond – PID # 563908 (68 Sunset Lane). Awaiting information on the septic permit.

Bylaw Amendment Request - Donna Nicholson & Beverley Reiger – Request for changes to be made to allow for trailers to be located for temporary camping. Council has decided to do a review as part of the strategic plan review.

Bylaw Amendment: Smooth Coat Drywall Ltd. - 9940 Cavendish Road. Awaiting information from the owner and the payment of fees for a public meeting.

Building Permits:

Innovation Enterprises Inc. (Avonlea Cottages) – PID # 472027 – (8925 Cavendish Road) – an application was received to move an existing accessory pool building of 12' X 8' from one side of the pool to another. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted subject to: 1) that the building shall be used for storage only. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Fred Schreiner and Linda Natzmer – (Four Winds Lane) – an application was received to construct a one and a half storey summer cottage of 64' X 63' with decks. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted subject to: 1) meets the requirements of the Department of Environment and 2) that the cottage be located on the site in accordance with the site plan. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Curtis and Christa Ashley – (Angus Campbell Lane) – an application was received to construct a one storey summer cottage of 46' X 36' with decks. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval be granted subject to: 1) meets the requirements of the Department of Environment and 2) that the cottage be located on the site in accordance with the site plan. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Marco Polo Land Inc. – PID # 232298 - 7406 Route 13 – an application was received to locate the water elements in the wading pool area. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness, 3) that stamped drawings be provided for the water elements and the splash pad, 4) that a development agreement be entered into and 5) that a performance bond be posted. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Temporary / Transient Use Permit:

West Highland Contractors – (Sunset Campground) – PID # 694976 – 9095 Cavendish Road – an application was received to have a euro bungy on the property from June 15 – September 15, 2019. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness and 3) that stamped drawings be provided for the euro bungy. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

West Highland Contractors – (Sunset Campground) – PID # 694976 – 9095 Cavendish Road – an application was received to have a Got Bobbled on the property from June 15 – September 15, 2019. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness and 3) that stamped drawings be provided for the Got Bobbled. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was recommended to check with the Department of Environment on any new regulations for water being emptied from the pool based on the requirements for disposing of swimming pool water.

Odeh Zaidan – PID # 233411 – 132 Cape Road – an application was received to have a temporary permit for a taxi service from June 24 – September 8, 2019. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) that insurance and license information be presented. All in favor 5, 1 non-voting, 1 absent.

Mehdi Mehmoodi – PID # 232074 – 40 Memory Lane – an application was received to locate a taxi service on the property from June 17 – October 31, 2019. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) insurance and license information being provided. All in favor 5, 1 non-voting, 1 absent.

Marco Polo Land – PID # 232298 – 7406 Route 13 – an application was received to have fireworks on the property on August 9, 2019 (storm date August 10, 2019). It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Marco Polo Land – PID # 232298 – 7406 Route 13 – an application was received to have fireworks on the property on August 31, 2019 (storm date September 1, 2019). It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Signage Permit:

Government of Canada (Green Gables Heritage Place) – 8619 Cavendish Road - PID # 512871 – an application was received for a multiple sign and new building signs on the property. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval be granted. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

CFM PEI Inc. – (Cavendish Beach Market) – 8989 Cavendish Road – PID # 231910 – an application was received to locate signage of 48" X 36" on the building and a sign of 86" X 12' on the multiple sign for Wild Gift and Smoke Shop. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Mayor Jelley and Deputy Mayor Lowther left the meeting due to a conflict of interest.

Sandspit Entertainment Ltd. – (Mariner’s Cove) – 8863 Cavendish Road – PID # 231977 – an application was received to construct a multiple sign on the property of 120 sq. ft.. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval be granted. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Sandspit Entertainment Ltd. – (Mariner’s Cove) – 8863 Cavendish Road – PID # 231977 – an application was received to construct two secondary signs of 10’ X 2’ for Subway on the building. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Mayor Jelley and Deputy Mayor Lowther returned to the meeting.

Liquor License – Extension of Hours:

Razzy’s Beach House – a letter was received asking for an extension of hours until 2:00 a.m. on July 5, 6 and 7 and 8, 2019 until 2:00 a.m. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted subject to: 1) meets the requirements of the Provincial Fire Marshal’s Office, 2) meets the requirements of the Department of Health and 3) meets the requirements of the Liquor Control Commission. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Taxi Permits:

Cavendish Tourist Mart - Resort Area Taxi - an application was received to locate a taxi service on the property from June 17 – October 31, 2019. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) insurance and license information being presented. All in favor 5, 1 non-voting, 1 absent.

Ocean Drive Clothing Company – Resort Area Taxi - an application was received to locate a taxi service on the property from June 17 – October 31, 2019. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) insurance and license information being presented. All in favor 5, 1 non-voting, 1 absent.

6.A.1. CBMF Unified Communication Plan:

The Unified Communications Plan for the music festival was presented to Council.

6.A.2. Cavendish Beach Music Festival:

No comments were received following the public meeting.

6.A.3. Borrowing Bylaw:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that the Borrowing Bylaw be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that the first reading of the Borrowing Bylaw be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.A.4. Tax Rate Group Bylaw:

It was moved by Councillor Clark Dunning, seconded by Councillor Drost that the Tax Rate Group Bylaw be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that the first reading of the Tax Rate

Group Bylaw be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.A.5. Fees Bylaw:

It was moved by Deputy Mayor Lowther, seconded by Councillor Singleton that the Fees Bylaw be brought to the public at the next meeting. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved by Deputy Mayor Lowther, seconded by Councillor Singleton that the first reading of the Fees Bylaw be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.A.6. Dangerous and Unsightly Premises Bylaw:

It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that the Dangerous and Unsightly Premises Bylaw be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved by Councillor Clark Dunning, seconded by Councillor Drost that the first reading of the Dangerous and Unsightly Premises Bylaw be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.A.7. Summary Proceedings Bylaw:

It was moved by Councillor Drost, seconded by Councillor Clark Dunning that the Summary Proceedings Bylaw be brought to the public at the next meeting. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved by Councillor Clark Dunning, seconded by Councillor Drost that the first reading of the Summary Proceedings Bylaw be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.A.8 Draft Sewer Bylaw:

The Sewer Bylaw will be brought to the next Council meeting to be presented to the public.

6.B. Monthly Finances:

Councillor Brammer presented the monthly finances for April 30, 2019.

It was moved by Councillor Brammer, seconded by Councillor Singleton that the revenues of \$52,256.98 and the expenses of \$71,111.80 be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Mayor Jelley advised that the expenses are higher due to the loan payment for the sewer utility that comes out of the municipal account and then is paid back from the sewer utility so the payment will be seen in the account later on.

6.B.1. Capitalization Policy:

It was moved by Councillor Brammer, seconded by Councillor Singleton that the Capitalization Policy be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.C. Trails and Paths Committee:

6.C.1. Quote on Walkway:

A quote on the walkway on Cawnpore Lane was received. This project will be held until a decision is made on funding.

6.D. Emergency Services Committee:

Meetings are ongoing with the service providers to work on the bylaw.

6.D.1. Citizens on Patrol:

Councillor Robinson was absent from the meeting, so we are awaiting his list of questions for the Council to determine which questions will go out in the questionnaire to the public.

7. Cavendish Sewer Utility:

7.A. Monthly Updates and Engineering:

The sewer board is exploring putting a lien on a property that has had outstanding dues since 2003. The legal counsel is looking into the process for the utility..

8. BUSINESS ARISING FROM MINUTES:

8.A. Destination Management Fund:

The funding application is available and was sent out and posted on the municipal website and the deadline to apply is June 28, 2019.

Deputy Mayor Lowther advised that a meeting is coming up with Upland Planning and Design Studio on starting the Strategic Plan RFP, if anyone is wanting to join in the meeting they can advise the CAO.

Deputy Mayor Lowther stated that Arrivals and Departures will be starting the Communities of Interest Project as well.

8.B. Heritage Park and Historical Centre Committee:

The Heritage Park project is moving along.

Harvey and his team are working on the Literary Tour. and there are some businesses that have opted out now.

There are some changes being made in the budget and additional funding will be required.

8.B.1. Heritage Park Name:

It was moved by Deputy Mayor Lowther, seconded by Councillor Singleton that the new name of the heritage park be Montgomery Park. All in favor 4, 1 non-voting, 1 nay, 1 absent Motion Carried.

A letter will be sent to Heather MacQuarrie in response to her concerns over the information on the sign.

The final statue features and cats were confirmed with the family and the committee and it is set to be completed on schedule.

Park Opening:

- The grand opening is planned for August 28, 2019 to coincide with the visit of some dignitaries to the area.

- An event planner is needed.

- \$10,000.00 was discussed as a price for the event and that funding could be applied for to government to cover any additional costs.

The Council advised that until some precise detailed accounting is completed on the budget to see where the budget stands, that no funding will be allocated to the Park opening until the next meeting.

Deputy Mayor Lowther advised that an amendment needs to be completed for ACOA and they are looking for the municipality to contribute \$15,000.00 which is about 10% of the amendment costs.

Additional funding for the Park project will be discussed at the next meeting based on where the budget stands.

Deputy Mayor Lowther commented on the logo and having it simplified and translated into French.

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer to allocate \$350.00 towards the logo simplification and translation into French. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

8.B.2. Contract:

Coles Associates has not yet sent through the contract for the Heritage Park project for signing.

8.B.3. Moving of Maintenance Building:

The costs for moving the building came in at \$4,700.00 plus tax which was under the allocated amount.

8.C. Internet – North Rustico:

Awaiting information from Eastlink on current pricing for the project and an update from Bell on what they are doing.

8.D. Liquor Control Commission Letter:

Mayor Jelley advised that a letter has not yet been prepared for the Liquor Control Commission. The decision was made for this year, but a letter can be sent in the fall to the Commission expressing the concerns of the municipality with what happened.

The new Minister for the Department is Darlene Compton.

8.E. TOWN OF SUMMERSIDE – SUPPORT THE BRIDGE TOLL EFFORT:

A draft letter was sent through for review from Councillor Drost.

Some additional groups will be sent a copy of the letter as well as the local tourist associations.

All Council members will sign the letter once the final version is completed.

8.F. RESIDENTIAL BEAUTIFICATION AWARD:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that Ross Metzger be nominated for the residential beautification award. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

8.G. DR. KENT ELLIS MEMORIAL AWARD:

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that Kay Hryckiwi be nominated for the Dr. Kent Ellis Memorial Award. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

9. NEW BUSINESS:

9.A. Janet Wood:

Stats were sent from Janet Wood on the number of businesses in the area for the municipality to present to the province if they are interested in pursuing keeping the water testing in the area.

9.B. Central Queens Soccer Club:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that \$250.00 be donated to the Central Queens Soccer Club. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

9.C. Hunter Clyde Watershed Group:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that \$100.00 be donated to the Hunter Clyde Watershed Group. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

10.A. Councillor's Concerns:

Councillor Clark Dunning advised that the fence adjacent to Forest Hills Lane and CBMF's property should be at least 8' high to keep people from wandering into residential properties.

Councillor Clark Dunning advised that the cemetery committee was doing some work and there were some issues raised over streetlights on Route 6 near the turn in North Rustico and that there are more needed.

The lighting in this area will be reviewed to see if there is a need for any additional lighting.

Deputy Mayor Lowther raised concerns over farm lands in the area based on the Stevenson farm being up for sale and that this will need to be looked at as part of the Strategic Plan review for future planning.

10.B. Resident's Concerns:

Letters were received from Richard Moore – Bonnie Acres Farms, Paul and Linda Larkin at Chez Yvonne's, and Brian Ellis of the Cavendish Tourist Mart regarding the leased lands by Parks Canada.

Parks will provide a response back to the farmers.

Sandi Lowther – Heritage Zone:

A letter was received from Sandi Lowther regarding concerns over the Heritage Zone and modern developments happening in these areas and that perhaps this should be looked at further.

This will be looked at as part of the Strategic Plan Review.

11. "In Camera Matters"

It was moved by Councillor Drost, seconded by Deputy Mayor Lowther to go "In Camera" to discuss matters falling under clauses 119(1)(e) and 119(1)(f) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

No motions were made while in camera.

11.1 RFP Engineering:

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that the engineering RFP be awarded to Harland Engineering Inc. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

11.2 Agreement with David Macneill:

Mayor Jelley is working on the agreement with David Macneill for the cleaning of the restrooms in the park.

11.3 Constructing without a permit:

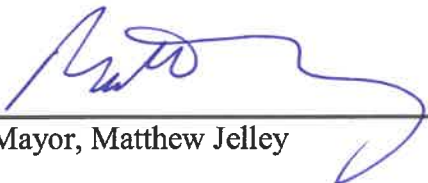
It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther to enforce the development agreement with Marco Polo Land for non-compliance with the agreement. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

11.4 CAO's Evaluation:


Contract is being reviewed.

12. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 10:35 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO