



**Regular Meeting of Council
Monday, April 12, 2010 at 7:00 PM**

Mayor Clifford Lee presiding

Present: **Deputy Mayor Stu MacFadyen** **Councillor Kim Devine**
 Councillor Rob Lantz **Councillor Cecil Villard**
 Councillor Melissa Hilton **Councillor Mitchell Tweel (arrived 7:05)**
 Councillor Terry Bernard **Councillor Danny Redmond**

Also: **Roy Main – Chief Administrative Officer**
 Joseph Coady – Director of Public Services
 Donna Waddell – Director of Corporate Services
 Phil Handrahan – Director of Fiscal and Development Services
 Scott Ryan – Finance Manager
 Paul Johnston – Public Works Manager
 Sue Hendricken – Parks and Recreation Manager
 Craig Walker – Utilities Manager
 Paul Smith – Chief of Police
 Randy MacDonald – Fire Chief
 Laurel Palmer-Thompson – Planning & Development Officer
 Hope Gunn – Planning & Development Officer
 Ron Atkinson – Economic Development Officer
 Wayne Long - Events Development Officer
 Beth Johnston – Communications Officer
 Wendy Reid – City Solicitor
 Tracey McLean – Administrative Assistant

Regrets: **Councillor David MacDonald**
 Councillor Peter McCloskey
 Don Poole – Planning Manager
 Sharon MacKinnon – Legislative Clerk

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers. He extended condolences, on behalf of Council and the citizens of Charlottetown, to the Polish community who recently lost their President and 95 others in a plane crash. A moment of silence was held.

Minutes of the previous meeting were by motion adopted:

Regular Meeting – March 08, 2010
Public Meeting – March 10, 2010
Public Meeting – March 25, 2010
Public Meeting – March 30, 2010
Public Meeting – March 31, 2010

1. Fire & Emergency Measures – Councillor Melissa Hilton

Councillor Hilton indicated her Committee's report was included in the weekend package. She announced Paul Maynard was the successful candidate for Deputy Fire Chief who will commence his new duties in July.

2. Parks, Recreation & Leisure Activities – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package. The Volunteer of the Month Award for April was presented to Lynn Beairsto.

Moved by Deputy Mayor Stu MacFadyen

Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown enter into a licensing agreement with Tourism Charlottetown and PEI Convention Partnership for the use of the Confederation Landing Park for the Festival of the Lights as per the terms and conditions set out in the attached agreement.

Be it further resolved that the Mayor and the CAO are hereby authorized to execute such agreement to implement this resolution.

CARRIED 8-0

Moved by Deputy Mayor Stu MacFadyen

Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown execute the amendment to the partner agreement with CARI, as follows pertaining to the composition of the Board to allow the City to fill the positions under its own terms and conditions.

Current:

ARTICLE 4

Board

4.1 The Board of CARI shall be comprised of up to (8) directors. The Board shall be appointed by the Parties as funding partners, in accordance with the following provisions:

Four (4) directors appointed by the City (non-publicly elected persons)

One (1) director appointed by UPEI

One (1) director appointed by Stratford

Two (2) directors appointed by CARI or future funding partner(s)

4.2 The Chair of the Board shall be one (1) of the persons appointed by the City. The Chair and other Directors will rotate on no more than a three (3) year basis. The other Directors shall serve terms of no more than three (3) years, but are eligible for reappointment once.

Proposed:

4.2 The Chair of the Board shall be one (1) of the persons appointed by the City. The Chair and those Directors appointed by the City shall serve terms as determined by the City. All other Directors appointed by the Partners shall serve terms as determined by the appointing Partner.

CARRIED 8-0

3. Police & Bylaw Enforcement – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was included in the weekend package. He recognized Bill Chandler on his recent retirement as Crossing Guard and thanked him for his 24 years of service. He updated Council on two Community Policing projects – Operation ID and the Parenting Techniques Program.

In response to a question regarding the Community Consultative Group, Councillor Lantz indicated the group first met in December 2009 and is now finalizing the agenda for their next meeting.

A question was raised with respect to the Youth Justice Funding Project. Councillor Lantz referred the question to the Chief of Police who noted a guide providing resource information to frontline officers is being developed to manage youth mental health and substance abuse issues.

Moved by Councillor Rob Lantz

Seconded by Deputy Mayor Stu MacFadyen

RESOLVED:

That the Public Works Manager be authorized to remove or repair the fences located at 13 Browns Court Charlottetown, Furthermore, remove any other materials, or debris, clean up and properly dispose of same, at the owner's expense, on property located at 13 Browns Court (PID #586115) in the City of Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 8-0

4. Public Works & Street Lighting – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package.

In response to a question concerning the submission list for street and sidewalk improvements, Councillor Bernard indicated the ratings for these infrastructure upgrades are ongoing and would likely be voted on by Council next month.

Moved by Councillor Terry Bernard

Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for "University Avenue Widening – Phase 2", the low submission of Island Coastal Services in the amount of \$4,965,500.00 (gst extra) be accepted.

This will be an expenditure of funds as previously approved in the 2010 Capital budget with Building Canada Fund participation.

The Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

A request to see the plans of the University Avenue Widening – Phase 2 development was put forward. Councillor Bernard indicated the plans were available at any time for viewing.

CARRIED 8-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender for “Allen St Roundabout & Roadway Improvements”, the low submission of Birt & MacKay Backhoe Services Ltd in the amount of \$1,557,973.97 (gst extra) be accepted.

This is the second and final construction phase of this project and will be an expenditure of funds as previously approved in the 2010 Capital budget with Building Canada Fund participation.

The Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 8-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, as per the invited Request For Quotation on engineering consultant services per “2010 Storm Pipe Construction - Package A”, the low submission of MHE Consulting Engineers in the amount of \$9,750.00 (all taxes extra) be accepted.

This will be an expenditure of 2010 New Deal funds.

CARRIED 8-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, as per the invited Request For Quotation on engineering consultant services per “2010 Storm Pipe Construction - Package B”, the low submission of MHE Consulting Engineers in the amount of \$8,200.00 (all taxes extra) be accepted.

This will be an expenditure of 2010 New Deal funds.

In response to an inquiry about MHE Consulting Engineers, Councillor Bernard referred the question to the Public Works Manager who indicated the principal engineer is Gary MacDonald.

CARRIED 8-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender for “Topsoil Supply”, the low submission of M&M Resources Inc. at a price of \$93.18 per 15 cubic yard load (all taxes extra) be accepted.

CARRIED 8-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender for “Backhoe & Truck Rental for Culvert Services”, the low submission of Lea MacDonald Construction at a combined hourly price of \$63.69 per hour (all taxes extra) be accepted.

CARRIED 8-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender for “Hourly Backhoe Rental” for the period June 01st, 2010 - May 31st, 2011, the attached submissions be accepted and called out in the following order as required.

CARRIED 8-0

5. Water/Sewer Utility & Environment – Councillor Danny Redmond

Councillor Redmond indicated his Committee’s report was included in the weekend package.

**Moved by Councillor Danny Redmond
Seconded by Councillor Cecil Villard**

RESOLVED:

That Campbell’s Concrete Ltd be awarded the 2010 Utility Inventory tender in the amount of \$57,587.40 GST included.

Further that this will be expensed out of the 2010 Utility Operating Budget.

CARRIED 8-0

**Moved by Councillor Danny Redmond
Seconded by Councillor Cecil Villard**

RESOLVED:

That the City of Charlottetown accept the low tender from Fair Isle Ford in the amount of \$63,063.00 (taxes included) for the supply of two (2) Cargo Vans.

CARRIED 8-0

**Moved by Councillor Danny Redmond
Seconded by Councillor Cecil Villard**

RESOLVED:

That the tender from Lea MacDonald for the 2010 Utility Backhoe Rental in the amount of \$39.00 per hour for the backhoe and \$8.00 per hour for the tamper (GST Extra) be accepted.

Further that this will be expensed out of the 2010 Utility Operating Budget.

CARRIED 8-0

Moved by Councillor Danny Redmond
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accept the proposal for consulting services from Stantec Consulting Ltd. in the amount estimated at \$34,971 (taxes extra) for the Consulting Services on the Wright's Creek/Andrews Pond Siltation Reduction Study.

Further that this will be expensed out of the 2010 Environment Budget.

CARRIED 8-0

6. Planning/Heritage & Arts/Culture – Councillor Kim Devine

Councillor Devine indicated her Committee's report was included in the weekend package.

In response to an update request with respect to livestock within City limits, Councillor Devine indicated the issue is on the Committee's agenda and will be reviewed again in the near future.

Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz

RESOLVED:

That the proposed Welsh-Owen Hotel to be located at 43 Queen Street, PID# 335646 (Confederation Bridge Office) & 45-49 Queen Street, PID# 335653 (former Kays Bros Bldg) & 49-57 Water Street, PID# 335620 (former Seaman's Bldg) & 31 Queen Street, PID# 335638 (vacant lot at corner of Queen Street and Water Street), be approved with the following requests:

1. a height variance from the required 39.4 feet to approximately 75 feet,
2. a lot consolidation (subject to the receipt of pinned survey plans),
3. cash-in-lieu of parking (for 118 spaces), and
4. that the Heritage component of the application for this new development as outlined in the Concept Plan dated February 24, 2010, as presented to Heritage Board, ensure the building facades which front on Queen and King Streets for the building located at 43 Queen Street, PID#335646, & 45-49 Queen Street, PID #335653, be maintained (kept standing at all times), stabilized, and restored (i.e. original brick, window openings and all architectural details).

This development is subject to a Development Agreement that will include the above-noted items such as: variance, parking, Heritage issues, site development, and other such development matters and is subject to review by the City solicitor and approval by Council.

Councillor Devine indicated both the Heritage Board and the Planning Board recommended approval of this project. She noted this proposed development is an opportunity to revitalize the lower Queen Street block and will generate significant economic activity for the City. Seventy-four (74) letters were sent out to property owners within 100 metres of the site with only four (4) letters received in opposition citing concerns of development scale and subsequent impact on their properties. Concerned residents had been invited in to speak with Planning Board members.

A question was raised as to whether there was a requirement to hold a public meeting. Councillor Devine indicated this application requested a major variance and the variance process was followed.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the request for a variance to the lot area from the required 10,172.4 sq ft to approximately 3,360 sq ft to permit a 7th unit in the building at 75-77 Prince Street (PID#339242) be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the request for a variance to the side yard setback from the required 6 feet to approximately 2 feet to permit an addition to the existing attached garage located at 6 Goodwill Avenue (PID# 348151) be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the request for a lot consolidation of the properties located at 38-44 Palmers Lane (PID#s 275156, 275164, 275180) for the construction of Grouped Dwellings be rejected.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the request to consolidate 6 parcels of land at 91 Euston Street (PID#s 357715 & 357723) to accommodate a proposed addition to the existing building, subject to the receipt of pinned survey plans, be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the application for signage at 111 Queen Street, PID# 340182, the Arts Guild, as presented to Heritage Board, be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the application for new front entry steps at 65 Great George Street, PID# 338129, Saint Dunstan's Basilica, as presented to Heritage Board, be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the proposal for the demolition of the existing coach house and construction of the proposed accessory building outlined in Option “B”, with final details to be approved by Heritage Board, at 230 Prince Street, PID#346320, be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the application for signage at 130 Queen Street, PID# 340422, Confederation Centre of the Arts, as presented to Heritage Board, be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Rob Lantz**

RESOLVED:

That the application to demolish the two accessory buildings located at 59 Lily Pond Drive & 21 Crop Lane, PID# 279224, as presented to Heritage Board, be approved.

Councillor Devine noted the City’s heritage interest in the Experimental Farm property lies mainly with Ravenwood which is designated as a Heritage Resource while the other buildings on the Farm are considered accessory buildings. The two accessory buildings noted are in a state of disrepair and Heritage Board has recommended approval for this application.

CARRIED 8-0

Councillor Devine renewed the Notice of Motion to amend the Building Code Bylaw.

7. Economic Development & Tourism – Councillor David MacDonald

Councillor Villard, on behalf of Councillor MacDonald, indicated the Committee’s report was included in the weekend package.

8. Human Resources & Pension – Councillor Mitchell Tweel

Councillor Tweel indicated his Committee’s report was included in the weekend package. He reported an Occupational Health and Safety audit to review the City policies as they relate to health and safety in the workplace will be carried out in the near future. He further noted a certified Health and Safety Officer would be hired later this year.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton**

RESOLVED:

That, pursuant to subsection 4.2 of the City of Charlottetown Staffing Bylaw, the Selection Committee for the Human Resources Manager competition be comprised of the following individuals:

Roy Main – Chief Administrative Officer
Donna Waddell – Director of Corporate Services
Joseph Coady – Director of Public Services
Phil Handrahan – Director of Fiscal and Development Services (alternate)

In response to questions regarding the process, it was confirmed a resolution of Council naming the Selection Committee is required for the hiring of Directors and Managers. The Human Resources Committee had agreed on the appointees selected.

CARRIED 8-0

9. Parking & Transit – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen reported his Committee met at noon that day. He reported that since implementing the Downtown Parking Strategy, monthly parkers at the Pownal Parkade have increased significantly and leased parking lots have seen an increase in users. The City will be monitoring loading zones, residential parking areas and disabled parking spots. March 2010 reported the highest passenger rides to date at 28,543. Deputy Mayor MacFadyen also noted his Committee, along with the Executive Policy & Event Attraction Committee, is attempting to set up a meeting with the Provincial Government to discuss funding possibilities for the City transit system.

10. Executive Policy & Event Attraction – Councillor Peter McCloskey

Councillor Lantz, on behalf of Councillor McCloskey, indicated the Committee's report was included in the weekend package.

A question was raised concerning when Council would be discussing the proposed plebiscite on electing Councillors. Councillor Lantz indicated the Committee will be finalizing the questions at its next meeting and the matter will be forwarded to Council for discussion and decision at the next monthly meeting of Council. In response to a question regarding an educational component prior to the election, it was felt once the matter becomes public, there will be a very rigorous public debate through various medias. It was further noted there will not be any incremental cost to carry out this plebiscite.

Moved by Councillor Melissa Hilton

Seconded by Councillor Rob Lantz

RESOLVED:

That the City of Charlottetown join the Federation of PEI Municipalities effective April 01, 2010.

A question was raised with respect to the City rejoining the Federation of PEI Municipalities. Councillor Lantz noted that Council had previously discussed the Federation's commitment to create a caucus for the larger Island municipalities including Charlottetown, Summerside, Stratford and Cornwall.

CARRIED 8-0

11. Finance, Audit, Tendering & Public Property – Councillor Cecil Villard

Councillor Villard indicated his Committee's report was included in the weekend package.

A question was raised regarding the increase in the water and sewer rate for 2010. It was confirmed the rate increased by approximately \$6.

**Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard**

RESOLVED:

That the City of Charlottetown transfer \$28,756 from Parkland Reserves to the Operating Revenue Fund as per the 2010 Budget.

CARRIED 8-0

**Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard**

RESOLVED:

That the submission from Fair Isle Ford Ltd. for two (2) 2011 one ton crew cab trucks at a cost of \$42,335.00 (taxes excluded) per unit be accepted.

These will be 48-month lease-purchases through a City selected financial institution and paid from the Fleet Management budget.

CARRIED 8-0

**Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard**

RESOLVED:

That the submission from Good Equipment for a Utility Tractor at a cost of \$38,735.00 (taxes excluded) be accepted.

This will be a 48-month lease-purchases through a City selected financial institution and paid from the Fleet Management budget.

CARRIED 8-0

12. Urban Beautification & Forestry – Councillor Kim Devine

Councillor Devine indicated her Committee's report was included in the weekend package.

13. New Business

There was no new business.

The meeting adjourned at 8:00 PM