



Regular Meeting of Council
Monday, July 12, 2010 at 4:30 PM

Mayor Clifford Lee presiding

Present: **Deputy Mayor Stu MacFadyen** **Councillor David MacDonald**
 Councillor Kim Devine **Councillor Terry Bernard**
 Councillor Rob Lantz **Councillor Peter McCloskey**
 Councillor Melissa Hilton **Councillor Cecil Villard**
 Councillor Mitchell Tweel **Councillor Danny Redmond (arrived at 5:05 PM)**

Also: **Roy Main – Chief Administrative Officer**
 Joseph Coady – Director of Public Services
 Phil Handrahan – Director of Fiscal and Development Services
 Paul Johnston – Public Works Manager
 Sue Hendricken – Parks and Recreation Manager
 Craig Walker – Utilities Manager
 Dan Hughes – Human Resources Manager
 Scott Ryan – Finance Manager
 Paul Smith – Police Chief
 Randy MacDonald – Fire Chief
 Don Poole – Planning Manager
 Wayne Long – Events Development Officer
 Ron Atkinson – Economic Development Officer
 Beth Johnston – Communications Officer
 David Hooley – City Solicitor
 Sharon MacKinnon – Legislative Clerk

Regrets: **Donna Waddell – Director of Corporate Services**

Mayor Lee called the meeting to order. He recognized and welcomed the City's new Deputy Fire Chief, Paul Maynard.

Minutes of the previous meetings were by motion adopted:

Regular Meeting – June 14, 2010

Public Meeting – July 07, 2010

1. Public Works & Street Lighting – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package. He noted the Mount Edward Road/Allen Street roundabout opened on June 23. Traffic has been moving efficiently through the roundabout and many positive comments have been received from the travelling public. He thanked Councillors for their support in getting this project completed which came in over \$500,000 under budget. Contractors for other ongoing projects are trying to accommodate for the influx of peak hour traffic.

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

RESOLVED:

That, per the publicly advertised tender for “2010 Major Projects – Package D” regarding ditch infilling, the low submission of Curran & Briggs Ltd. in the amount of \$568,300.00 (gst extra) be accepted.

This will be an expenditure of Capital funds as previously approved in the 2010 budget.

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

CARRIED 9-0

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

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

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Cecil Villard**

RESOLVED:

That Kings County Construction Ltd be awarded the MacRae Drive Water Extension tender in the amount of \$486,795.75 GST included.

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

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

In response to a question concerning the project’s timeline, Councillor Tweel referred the question to the Utility Manager who noted the contractor would soon begin onsite preparations and the project should be completed by the end of August.

CARRIED 9-0

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

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

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request to proceed to the public consultation phase to consider the rezoning of the property located on Kensington Road (PID #385997) from Single Detached Residential (R-1L) Zone to Low Density Residential (R-2) Zone be approved.

CARRIED 9-0

Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey

RESOLVED:

That the application for street vending on Sydney Street with the use of two parking spaces adjoining Sim's Corner Restaurant at the 118 Sydney Street side, and that if the Sushi Restaurant wants to move around the corner onto the grassed area by their building instead of on Queen Street (already approved), they be allowed to do so for the 2010 season with an amendment to their existing Agreement, and further that music be allowed on the north side of Sydney Street until 10 p.m. on any given day, with the owner to enter into an Encroachment Agreement as per the Street Vending Bylaw, be approved.

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

It was mentioned the Economic Development Committee is looking at options for a possible second Pedestrian Mall (street closure) at a yet undetermined location and it should not be assumed that any success of this one-year 'pilot' project would form a basis to develop a Pedestrian Mall on Sydney Street next year. It was further noted the Street Vending Bylaw, through which street cafes are approved, has been reviewed and recommendations will be coming forward to a Committee of the Whole Council Meeting.

CARRIED 8-1
Deputy Mayor MacFadyen registered a "nay" vote

Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey

RESOLVED:

That the request for a variance for an extension of the existing non-conforming use on the property located at 300 North River Road (PID #372912) for the purpose of rebuilding the Charlotte Court property as a 99-unit (2 buildings) development, and the request for a minor variance to the maximum height requirement from 39.4 ft to 43.3 ft (10%) be approved.

CARRIED 9-0

Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey

RESOLVED:

That the request to amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion (approximately 3.4 acres) of the Horseshoe Hills Subdivision (PID #746164) from Low Density Residential Single (R-2S) Zone to Narrow Single Detached (R-1N) Zone be approved.

CARRIED 8-1
Councillor Tweel registered a "nay" vote

Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey

RESOLVED:

That the application for a projecting sign to be located at 126 Richmond Street, PID #339176, as presented to Heritage Board and with the signing of an Encroachment Agreement, be approved.

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

CARRIED 9-0

1st and 2nd readings of the “Zoning and Development Bylaw”

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion (3.4 acres) of the Horseshoe Hills Subdivision (PID# 746164) from Low Density Residential Single (R-2S) Zone to Narrow Single Detached Residential (R-1N) Zone.

Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

CARRIED 8-1
Councillor Tweel registered a “nay” vote

Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to a Committee of the Whole Council, and the Mayor be Chairman of the Committee.

CARRIED 8-1
Councillor Tweel registered a “nay” vote

Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey

RESOLVED:

That the Chairman reports progress of the Committee and that the Bylaw be adopted without amendments.

CARRIED 8-1
Councillor Tweel registered a “nay” vote

Moved by Councillor Kim Devine

Seconded by Councillor Peter McCloskey

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “City of Charlottetown Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

CARRIED 8-1

Councillor Tweel registered a “nay” vote

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

4. Economic Development & Tourism – Councillor David MacDonald

Councillor MacDonald indicated his Committee’s report was included in the weekend package. He highlighted the recent review of the Tourism Charlottetown Inc’s (TCI) Strategic Plan with intent to develop a Memorandum of Understanding to formalize relations between the City and TCI. A transient traders bylaw is being looked at to charge a fee to vendors who sell wares from temporary spaces (eg hotels, etc) and not have to pay taxes. Further, a plan to accommodate additional pedestrian malls in the downtown is being entertained for implementation next year.

5. Human Resources & Pension – Councillor Mitchell Tweel

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

6. Parking & Transit – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council Meeting.

7. Executive Policy & Event Attraction – Councillor Peter McCloskey

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

In response to an update request to meet with Communities, Cultural Affairs and Labour to discuss the *Charlottetown Area Municipalities Act (CAMA)*, Councillor McCloskey indicated it had been previously decided that Councillors forward their items for discussion in writing to his Committee and from there, a meeting will be requested at an appropriate time.

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

Councillor Villard indicated his Committee’s report was included in the weekend package. He brought forward a Notice of Motion to introduce the 2010 Borrowing Bylaw.

Moved by Councillor Cecil Villard

Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown make application through Canada Mortgage and Housing Corporation’s Municipal Infrastructure Lending Program for the following 2009 capital projects:

\$5,093,879 in the Street Infrastructure category
\$ 718,991 in the Water Upgrade category
\$2,309,900 in the Waste Water category

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

CARRIED 10-0

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

That the Urban Beautification & Forestry Committee be permitted to transfer \$12,442 as per the attached documentation, within the Urban Beautification & Forestry 2010 Budget.

This transfer represents no overall increase in the 2010 City Budget.

CARRIED 10-0

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

That the Fire and Emergency Measures Committee be permitted to transfer \$31,300 as per the attached documentation, within the Fire and Emergency Measures 2010 Budget.

This transfer represents no overall increase in the 2010 City Budget.

CARRIED 10-0

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown transfer \$22,613 from Event Attraction Reserves to fund the Dallas Stars Training Camp.

This transfer represents no overall increase in the 2010 City Budget.

CARRIED 10-0

9. Urban Beautification & Forestry – Councillor Kim Devine

Councillor Devine indicated her Committee had not met since the last Council Meeting.

The Committee was requested to look into a matter where requested tree trimming on Greensview Drive was overlooked. Mayor Lee indicated the Committee would follow up.

10. Fire & Emergency Measures – Councillor Melissa Hilton

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

The Committee was requested to find out acceptable response times for the Island EMS within City limits. Councillor Hilton indicated the matter would be reviewed at the next meeting.

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

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package. Parks

& Recreation staff was congratulated on their efforts with preparations for the Regis & Kelly Live Show. The Volunteer of the Month Award for July was presented to Guy Boswell of the Winsloe West Royalty Soccer Club.

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accept the Fitzgerald and Snow (2010) Ltd. bid of \$228,300 (GST excluded) for the Cody Banks Re-Roof Project, as approved in the 2010 Parks and Recreation Capital Budget.

CARRIED 10-0

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accept the Island Coastal bid of \$141,550 (GST excluded) for the installation of a sewer and water service and a gravel parking lot expansion for East Royalty Soccer Complex.

Further it is recommended that the engineering costs of \$7,500 (GST) from CBCL be accepted, with full project costs as approved in the 2010 Parks and Recreation Capital Budget.

CARRIED 10-0

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accept the Brumac Construction Ltd. bid of \$189,000 (GST excluded) for the Cody Banks Dressing Room Renovation Project, as approved in the 2010 Parks and Recreation Capital Budget.

CARRIED 10-0

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accept the bid of \$69,195 from Playpower for the equipment at Scarlet Park, Victoria Park, G. Stewart MacKay Park and Parricus Mead Park and the bid of \$19,780 from Henderson for the equipment at Centennial Park, as approved in the 2010 Parks and Recreation Capital Budget.

CARRIED 10-0

12. Police & Bylaw Enforcement – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was included in the weekend package. In response to last month's request, he reported all recommendations of the Police Review Study have been implemented and a copy will be made available to Council. He noted positive comments were received from residents regarding police enforcement during the Charlottetown SummerFest. He further

congratulated Deputy Police Chief Gary McGuigan on receiving a Public Service Award from the Institute of Public Administration of Canada.

More police presence was requested on Desbrisay Crescent as well as Walthen Drive. Councillor Lantz indicated the request would be taken under consideration.

13. New Business

There was no new business.

The meeting adjourned at 5:35 PM.