



**Regular Meeting of Council  
Tuesday, October 12, 2010 at 7:00 PM**

**Mayor Clifford Lee presiding**

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

**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**  
                         **Paul Johnston – Public Works Manager**  
                         **Sue Hendricken – Parks and Recreation Manager**  
                         **Dan Hughes – Human Resources Manager**  
                         **Scott Ryan – Finance Manager**  
                         **Richard Collins – Deputy Police Chief**  
                         **Randy MacDonald – Fire Chief**  
                         **Laurel Palmer Thompson – Planning & Development Officer**  
                         **Craig Walker – Utilities Manager**  
                         **Ron Atkinson – Economic Development Officer**  
                         **Wayne Long – Events Development Officer**  
                         **Beth Johnston – Communications Officer**  
                         **David Hooley – City Solicitor**  
                         **Sharon MacKinnon – City Clerk**

**Regrets:**        **Paul Smith – Police Chief**  
                         **Don Poole – Planning Manager**

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers. He requested that Planning/Heritage & Arts/Culture be moved to the beginning of the Committee Reports to accommodate residents in attendance for some Planning issues.

**Minutes of the previous meetings were by motion adopted:**

**Regular Meeting – September 13, 2010**

**Public Meeting – September 16, 2010**

**Special Meeting – October 03, 2010**

**1.    Planning/Heritage & Arts/Culture – Councillor Kim Devine**

Councillor Devine indicated her Committee's report was included in the weekend package. She reminded Councillors of an upcoming lecture on October 14 at UPEI by Greg Smallenberg, Landscape Architect.

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

**RESOLVED:**

That a policy or Bylaw amendment be drafted to address illegal apartment units and that the policy should consider the approval process and fees or fines associated with these illegal units.

In response to an inquiry if this policy would also include in-law suites, Councillor Devine indicated it would deal specifically with residential units in buildings in which the Planning Department does not have a record.

**CARRIED 9-0**

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

**RESOLVED:**

That the request for a variance to the frontage requirements from 82 feet to approximately 47 feet to permit a third unit to remain in the dwelling located at 271-273 Fitzroy Street (PID# 346882) be approved.

**CARRIED 9-0**

**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 4 feet to permit an addition to the second floor of the existing house at 21 Goodwill Avenue (PID# 348771) be approved.

**CARRIED 9-0**

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

**RESOLVED:**

That the request to proceed to the public consultation phase to consider rezoning the property located at 17 First Street (PID# 276667) from Low Density Residential (R-2) Zone to Mixed Use Corridor (MUC) Zone be rejected.

**CARRIED 9-0**

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

**2. Economic Development & Tourism – Councillor David MacDonald**

Councillor MacDonald indicated his Committee had not met since the last Council Meeting. He noted the Newcomers Welcome Guide translation into five foreign languages (Chinese, Arabic, French, Korean and Spanish) is now complete and information is available at City Hall, on the City's website, and the PEI Association of Newcomers.

**3. Human Resources & Pension – Councillor Mitchell Tweel**

Councillor Tweel indicated his Committee had not met since the last Council Meeting. He noted implementation of the Human Resources Plan is proceeding with expected completion by year end or January 2011.

**4. Parking & Transit – Deputy Mayor Stu MacFadyen**

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

Concern was raised regarding all-day parkers in residential areas such as Chestnut, Stewart and Bayfield Streets and it was suggested the Committee look at means to relocate these parkers to the parkades. Deputy Mayor MacFadyen indicated the Committee would review this matter.

**Moved by Deputy Mayor Stu MacFadyen**

**Seconded by Councillor Rob Lantz**

**RESOLVED:**

That the City of Charlottetown enter into an agreement with Trius Transit (2007) Inc. incorporating the agreements for Stratford and Cornwall for the provision of regional transit services with an effective date of September 01, 2008.

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

**CARRIED 10-0**

**5. Executive Policy & Event Attraction – Councillor Peter McCloskey**

Councillor McCloskey indicated his Committee had not met since the last Council Meeting.

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

Councillor Villard indicated his Committee had not met since the last Council Meeting.

**Moved by Councillor Cecil Villard**

**Seconded by Councillor Terry Bernard**

**RESOLVED:**

That the City of Charlottetown enter into the attached quit claim indenture releasing the City's ownership of a 30-foot tract of land at the Sherwood Driving Range (PID# 390468);

Be It Further Resolved that the City of Charlottetown enter into the attached easement agreement allowing the City access to the water main located therein on property identified as PID #390468.

The Mayor and 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 Parks, Recreation & Leisure Activities Committee be permitted to transfer \$37,517 as per the attached documentation, within the Parks, Recreation & Leisure Activities 2010 Budget.

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

**CARRIED 10-0**

**1<sup>st</sup> & 2<sup>nd</sup> reading of the “2010 Borrowing Bylaw”**

To introduce a 2010 Borrowing Bylaw for the borrowing for certain capital and operating expenditures.

Moved by Councillor Cecil Villard  
Seconded by Councillor Terry Bernard

**RESOLVED:**

That the bylaw to introduce the “2010 Borrowing Bylaw” be read a first time.

**CARRIED 10-0**

Moved by Councillor Cecil Villard  
Seconded by Councillor Terry Bernard

**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 10-0**

Moved by Councillor Cecil Villard  
Seconded by Councillor Terry Bernard

**RESOLVED:**

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

**CARRIED 10-0**

Moved by Councillor Cecil Villard  
Seconded by Councillor Terry Bernard

**RESOLVED:**

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “2010 Borrowing Bylaw” and that it be read a third time at the next Public Meeting of Council.

**CARRIED 10-0**

**7. Urban Beautification & Forestry – Councillor Kim Devine**

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

It was suggested residents need clarification on the process of tree removal (in particular, due to Dutch Elm disease) on public and private property as well as public information on replacement trees native to

the area. In response to the suggestion of neighbourhood meetings, creating a brochure dealing with native tree replacement, Councillor Devine indicated she would take the matter back to the Committee. She further suggested any residents with inquiries on trees should contact the Urban Beautification & Forestry Department.

#### **8. Fire & Emergency Measures – Councillor Melissa Hilton**

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

#### **9. Parks, Recreation & Leisure Activities – Deputy Mayor Stu MacFadyen**

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council Meeting. The Volunteer of the Month Award for October was presented to the 2010 Local Organizing Committee for the BMO National Soccer Championships. Deputy Mayor MacFadyen recognized those involved in bringing the Dallas Stars Training Camp to Charlottetown in September. Also recognized were Council members as well as the corporate community for their support in this event.

It was suggested the City work with the University of Prince Edward Island and other levels of government to enhance UPEI's new athletics facility with track lights and a turf field in order to attract more regional and national events.

**Moved by Deputy Mayor Stu MacFadyen**

**Seconded by Councillor Cecil Villard**

#### **RESOLVED:**

That the City of Charlottetown accept the PD Construction Ltd. bid of \$213,000.00 (GST excluded) for the foundation replacement at Central Field Grandstands as per the 2010 Parks and Recreation Capital Budget.

Further that the engineering and contingency costs of \$24,250.00 (GST excluded) from ADI Ltd. for this project be accepted.

And that the shortfall of \$83,204.00, in the overall 2010 Parks and Recreation Capital Budget, be funded by the Parkland Reserve Account.

**CARRIED 10-0**

**Moved by Deputy Mayor Stu MacFadyen**

**Seconded by Councillor David MacDonald**

#### **RESOLVED:**

That the City of Charlottetown adopt the Helmet Use Policy, as attached, for all City owned and operated Arena Facilities to go into effect on December 01, 2010.

**CARRIED 10-0**

#### **10. Police & Bylaw Enforcement – Councillor Rob Lantz**

Councillor Lantz indicated his Committee's report was included in the weekend package. He indicated after consulting with Charlottetown Police Services, Council decided Halloween would be celebrated on Sunday, October 31, similar to most municipalities across the Island. Councillor Lantz indicated that discussions are ongoing with the Office of the Attorney General, the Department of Education and the Eastern School District regarding a pilot project to place a full-time police officer in city high schools, with funding primarily from the Province along with a small contribution from the City. In response to

concerns raised by residents and the downtown business community, the downtown police depot hours of operation have been expanded to 8 AM – 4 PM Monday to Friday, and after-hour mechanisms are also being considered.

The Police Services Review & Evaluation recommendations and actions-to-date was requested again for distribution to Council members.

Concern was raised about the City's truck traffic routes and in particular, heavy truck traffic on and around Kensington Road, and it was felt a review of the truck traffic routes is required. Councillor Lantz indicated efforts have been made with the trucking companies. He encouraged residents experiencing truck traffic problems to document details and forward the information to the police.

More police presence was requested to control speeding on Spring Park Road, Desbrisay Crescent, Douglas Street, Upper Prince Street, Walthen Drive, Upper Hillsboro Street and Laphorne Avenue.

Councillor Lantz brought forward a Notice of Motion to amend the Dog Control Bylaw by clarifying the definition of "Kennel".

#### **11. Public Works & Street Lighting – Councillor Terry Bernard**

Councillor Bernard indicated his Committee had not met since the last Council Meeting. He indicated the University Avenue reconstruction project should be completed by the end of the month.

In response to a question concerning a timing issue with the pedestrian crossing signal on the west side of the Queen and Kent Streets intersection, Councillor Bernard referred the question to the Public Works Manager who noted the older modeled controller in place does not support a split pedestrian phasing; however, this would have been noted in the recent report reviewing on all city intersections.

#### **12. Integrated Community Sustainability – Councillor Rob Lantz**

Councillor Lantz indicated his Committee's summary was included in the weekend package. He noted the Committee's report to Council will be forwarded electronically each month in keeping with the Committee's commitment to host paperless meetings.

#### **13. Water & Sewer Utility – Councillor Danny Redmond**

Councillor Redmond indicated his Committee had not met since the last Council Meeting. He advised the Utility Department Organization & Operation Review is almost complete and the consultant's report should be available by the end of October.

#### **14. New Business**

There was no new business.

Mayor Lee wished all well during the election campaign. He extended congratulations to the Councillors who were elected by acclamation and thanked Councillor Devine for her years of public service.

**The meeting adjourned at 8:00 PM**