



**Regular Meeting of Council
Monday, June 10, 2013 at 4:30 PM**

Mayor Clifford Lee presiding

Present: Deputy Mayor Stu MacFadyen Councillor Edward Rice
Councillor Mitchell Tweel Councillor Cecil Villard
Councillor Terry Bernard Councillor David MacDonald
Councillor Melissa Hilton Councillor Rob Lantz
Councillor Jason Coady

Also: Roy Main – CAO Donna Waddell – DCS
Randy MacDonald – FC Paul Smith - PC
Paul Johnston – PWM Scott Ryan, FM
Sue Fraser – PRM Dan Hughes – HRM
Craig Walker – UM Laurel P. Thompson – PDO
Ron Atkinson – EconDO Alicia Packwood – PCC
Sarah L. Quig, EA Karen Campbell – CS
Tracey McLean- RMC

Regrets: Councillor Danny Redmond Wayne Long – EvenDO

Mayor Lee called the meeting to order. He welcomed and introduced the City's new Executive Assistant to the CAO, Sarah Louise Quig and extended congratulations to Roy Main, CAO, who was recently recognized at the 2013 CAMA Conference and Annual General Meeting for his 33 years of service in municipal government.

Minutes of the previous meetings were by motion adopted:
Regular Meeting – May 13, 2013
Public Meetings – May 07, 15, 23 & 28, 2013
Committee Meetings of Council (Open) – May 14, 2013

REPORTS OF COMMITTEES / RESOLUTIONS

1. Parks, Recreation & Leisure Activities – Councillor Melissa Hilton

Councillor Hilton indicated her Committee's report was included in the weekend package. Volunteer of the Month Award for June was presented to Thane Myers.

An update was requested with respect to the Simmons Master Plan Project. Councillor Hilton indicated the next step was to bring the plan to an upcoming Committee of the Whole Council meeting for review.

A question was raised regarding playground equipment. Councillor Hilton indicated all new equipment would be installed in the 2013 calendar year.

In response to a question concerning feedback on the Victoria Park Draft Comprehensive Plan, Councillor Hilton advised that comments and suggestions can be submitted via the online survey on the City's website until Friday, June 14, 2013.

Moved by Councillor Melissa Hilton
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accepts the bid of \$ 51,858.07 (HSTE) from Play Power for equipment at Hertz Road, Bridle Path, J. Bomber Callaghan, Robin Hood, George Smith, Lions Park, Royalty Heights, Desbrisay, MacArthur, Sandlewood and Upton Park and the bid of \$13,993.30 (HSTE) from ABC for playground equipment at Orlebar, and

That \$45,000.00 be approved for playground installation and contingency costs for the City's 2013 playground projects, and

Further that the amount is within the approved 2013 Parks and Recreation Capital Budget.

In response to a question of lowest bids not being accepted, Councillor Hilton indicated some of the lowest bidders did not meet the equipment specifications as outlined in the tender.

CARRIED 9-0

Moved by Councillor Melissa Hilton
Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown enter into a licensing agreement with the PEI 2014 Inc. for the use of Confederation Landing for the 2014 Celebration Zone, subject to conditions as approved by City Council.

Further that the Mayor and Chief Administrative Officer will be authorized to execute on the licensing agreement.

In response to several questions raised, Councillor Hilton noted that scheduled activities have not yet been finalized; weekly events will run from May to September and be monitored closely by a number of City departments.

CARRIED 9-0

Moved by Councillor Melissa Hilton
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accepts the highest scored bid from Ekistics Planning & Design at \$42,820.00 + HST to carry out the Upton Farmlands Master Plan.

Further that the funds for this project will come from the allotment of funds directed to the City from the Provincial Secretariat for Infrastructure under the Capacity Building Fund, as per the previously approved resolution.

In response to a question raised, Councillor Hilton indicated that the consultants will have public consultations with respect to the Upton Farmlands Master Plan.

Clarification was requested with regard to ownership of the lands. Councillor Hilton advised that the property is owned by Upton Farm Trust Inc. as deeded over by the Government of Prince Edward Island through Canada Lands.

CARRIED 9-0

2. Public Works, Street Lighting & Transit – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package. He noted construction on the Airport roundabout continues and anticipates completion by July 1, 2013.

Moved by Councillor Terry Bernard

Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for '2013 Concrete Sidewalk & Curb Construction', the low submission of Ostridge Bros (1983) Inc. in the amount of \$269,712.00 (all taxes extra) be accepted.

This expenditure has been previously approved in the 2013 budget per New Deal funding,

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

CARRIED 9-0

Moved by Councillor Terry Bernard

Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for 'Engineering Consulting Design & Project Management Services – 2013 Storm Pipe Construction', the low submission of Harland Associates in the amount of \$18,000.00 (all taxes extra) for Design and Administration costs be accepted.

This expenditure has been previously approved in the 2013 Capital budget,

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

A question was raised regarding the omission of a City ward from ditch infilling for the 2013 season. Councillor Bernard indicated that all Councillors had the opportunity to submit requests to the Public Works Department of what projects they would like done.

In response to a question, Councillor Bernard noted that there is a small amount of money in the operational budget for individual ditch infill requests which are made by property owners who may

have health/disability issues.

CARRIED 7-2

Councillor Coady and Councillor Tweel registered “nay” votes

3. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee’s report was included in the weekend package. He advised Council that the sale of rain barrels to City residents was a success and a waiting list has been created for 2014; consultants began work on a water audit and limited funds remain for the 2013 Toilet Rebate Program.

A question regarding suspected property damage caused by project construction was raised. Councillor Rice referred the question to the Utility Manager who then indicated that if a home owner makes such a claim, the proper recourse is for the home owner to contact their insurer and if the insurer feels the City holds some responsibility then the City would be notified. He further indicated the City requires contractors to have specific project insurance.

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accepts the tender from Fair Isle Ford in the amount of \$31,122.00 (taxes included) for the supply of a ¾ Ton Truck.

CARRIED 9-0

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That Island Coastal Services Limited be awarded the Lewis Point Lift Station Upgrades tender in the amount of \$ 287,539.50, all taxes included, and

That this will be expensed out of the 2013 Utility Capital Budget, and

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

CARRIED 9-0

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accepts the proposal for consulting services from EXP in the amount estimated at \$49,921 (taxes extra) for the Consulting Engineering Services on the Wastewater Infrastructure Review and Improvements project, and

That this will be expensed out of the 2013 Utility Capital Budgets, and

Further that the Mayor and CAO are hereby authorized to execute standard

contracts/agreements to implement this resolution.

CARRIED 9-0

**Moved by Councillor Edward Rice
Seconded by Councillor Jason Coady**

RESOLVED:

That City Council approve the attached “Development Agreement” with the Community of Miltonvale Park for the development of the City’s new wellfield, and

That the Mayor and CAO are hereby authorized to execute agreements to implement this resolution.

CARRIED 9-0

4. Administrative Services – Councillor Cecil Villard

Councillor Villard indicated his Committee’s report was included in the weekend package. He noted that meetings continue with the provincial government regarding revenue sharing. He congratulated citizens for their outstanding contribution to the community as well as City employees for Years of Service at the annual Mayor’s Citizens and Employee Recognition Awards.

In response to questions raised concerning the Debt Review, Councillor Villard indicated that negotiations are complete and the cost to conduct the review was under \$25,000 however the Committee will follow-up and advise of the actual amount.

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

RESOLVED:

That as per the recently advertised Request for Proposals for “Rental Of Office Space”, the lowest priced bid meeting requirements at \$22.03 per square foot (p.a.), from GAIA Management be accepted and

That the Mayor and CAO be hereby authorized to execute such standard contracts and agreements required to implement this resolution.

CARRIED 9-0

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

RESOLVED:

That the City dispose of a portion of PID# 946400 to the owners of 19 Parricus Mead (PID# 928903). That portion being up to 20 feet deep by the width of their property. Subject to the sale being at fair market value and subject to all costs for the transaction being the responsibility of the purchaser, and

That the Mayor and CAO be hereby authorized to execute such standard contracts and agreements required to implement this resolution.

CARRIED 9-0

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

RESOLVED:

That, per the publicly advertised tender for “3/4 Ton Extended Cab Vehicle”, the lowest submission of Fair Isle Ford in the amount of \$33,081.66 (taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, per the publicly advertised tender for “4x2 Half Ton Vehicle”, the lowest submission of Reliable Motors in the amount of \$26,098.00 (taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, per the publicly advertised tender for “4 Door Full Size Cab and Chassis Vehicle”, the lowest submission of Fair Isle Ford in the amount of \$47,881.14 (taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, per the publicly advertised tender for “All Wheel Drive SUV Vehicle”, the lowest submission of Reliable Motors in the amount of \$23,843.00 (taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, per the publicly advertised tender for “Skid Steer”, the lowest submission of Bobcat Atlantic in the amount of \$35,311.50 (taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, per the publicly advertised tender for “Utility Tractor”, the lowest submission of Good Equipment in the amount of \$73,146.00 (taxes included) be accepted.

CARRIED 9-0

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

That, per the publicly advertised tender for “Front Mowers, Rear Turn”, the lowest submission of Good Equipment in the amount of \$21,639.48 each (taxes included) be accepted.

CARRIED 9-0

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

That, per the publicly advertised tender for “Zero Turn Mower”, the lowest submission of Good Equipment in the amount of \$13,399.63 (taxes included) be accepted.

CARRIED 9-0

5. Economic Development & Culture – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee’s report was included in the weekend package. He thanked City staff for their participation in successful Natal Day activities held over the past weekend.

A question was raised with regard to a proposal from a local advertising company. Deputy Mayor MacFadyen indicated that the Committee does not support the purchase of billboards (~\$500,000) and rejected the proposal.

6. Protective & Emergency Services – Councillor David MacDonald

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

In response to a previous question concerning \$700,000 in overtime paid out to the Charlottetown Police Department in 2012, Councillor MacDonald noted Chief Smith will provide a summary for Council in the near future. He indicated that \$204,000 of overtime was paid for actual normal operations of the department. He further indicated 42% of \$700,000 covered statutory contractual obligations, wages for school crossing guards, court time, etc.

It was requested once again that the Committee review the possibility of designating at least one pink parking spot in the downtown for expecting mothers and/or mothers with small children. Councillor MacDonald indicated the matter will be discussed at the next Committee meeting.

Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any vehicles that display an expired inspection sticker thus being considered a derelict vehicle. Existing building material with deteriorating blue tarps will be removed or placed neatly at the rear of the property out of the sight of all neighbors. Back fill the area around the

foundation at the rear of the residence. Remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 242 Norwood Road (PID# 635136) in the City of Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown, and

That the resolution will include any other clean up, repairs or inspections deemed necessary by a City Building Inspector, a Planning /Development Officer or City Fire Inspector.

CARRIED 9-0

Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard

RESOLVED:

That the Public Works Manager be authorized to repair or replace the eaves and roof of the residence; repair, replace or paint the shingles, windows, and any other repairs deemed necessary by a City Building Inspector or a Planning Development Officer. The repair or removal of an existing outbuilding which may require an inspection. The removal of any vehicles that would be considered derelict according to the Bylaw. Also remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on the property located at 38/40 Hillsboro Street (PID# 337535) in the City of Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any vehicles that display an expired inspection sticker thus being considered a derelict vehicle. Repair or replace shingles of the residence and accessory building, repair or replace the roof and eaves, paint entire structures and any other repairs deemed necessary by a City Building Inspector. Remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 31 Kirkwood Drive (PID# 370841) in the City of Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

Council was advised that the property owner is a senior lady living on a fixed income with some health issues however she has attempted to clean up the property recently. It was requested that the motion be deferred for one month. Councillor Cecil Villard moved and Deputy Mayor Stu MacFadyen seconded to defer the resolution. Motion was carried 9-0.

Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard

RESOLVED:

That Reliable Motors be awarded the vehicle tender for the supply of three

(3) Dodge Charger Police Package (marked patrol vehicles) for the tendered price of \$71,704.00 plus applicable taxes and one Dodge Journey (Forensic Identification Section) for the tendered price of \$19,552.70 plus applicable taxes.

CARRIED 9-0

7. Advanced Planning & Priorities – Councillor Jason Coady

Councillor Coady indicated his Committee had not met since the last Council meeting.

8. Urban Beautification & Sustainability – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council meeting. He encouraged residents to apply or nominate entrants for the Annual Make Charlottetown Bloom program.

Concern was raised regarding wages for casual/seasonal employees working within Urban Beautification. Deputy Mayor MacFadyen suggested the matter be directed to the Human Resources Manager for further information.

9. Planning & Heritage – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was included in the weekend package. He acknowledged the developers for their restoration of the Kay's Building on Queen Street.

Moved by Councillor Rob Lantz

Seconded by Councillor Jason Coady

RESOLVED:

That the City of Charlottetown enter into a Pedestrian Mall Agreement (as attached) with Downtown Charlottetown Inc. as per Section 3.1 of the Pedestrian Mall Bylaw for the development of a Farmers Market with parking spaces on the east side of Queen Street closed between Grafton Street and Dorchester Street on Sundays only for the period from the July 01 weekend to the first weekend in October inclusive. This Agreement will be in effect for a five-year period (2013-2017), and

That the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this Resolution.

CARRIED 9-0

Moved by Councillor Rob Lantz

Seconded by Councillor Jason Coady

RESOLVED:

That the request for Turf and Surf Tours to locate the tickets kiosks and bus stops on a portion of the City's right-of-way next to Founder's Hall, and in front of the Confederation Centre (as attached) for the 2013 season only, subject to the signing of an Encroachment Agreement, and having a public liability insurance policy in a form and in an amount of at least one million dollars (\$1,000,000) naming the City as an additional named insured, be approved;

And that the applicants be advised that the City will be reviewing its bylaws which may

necessitate changes for such requests in subsequent years, and

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

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to locate a sandwich board sign on the grassed area at the corner of Lower Water Street and Great George Street for three businesses located at 5 Lower Water Street (PID# 335232) for the 2013 summer season only be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to proceed to the public consultation phase to consider an amendment to Appendix "A" – Future Land Use Map of the Official Plan from Medium Density Residential to Commercial and an amendment to Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Low Density Residential (R-2) Zone to Parking (P) Zone to rezone the property at 17 First Street (PID# 276667) be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to proceed to the public consultation phase to consider an amendment to Appendix "A" of the City of Charlottetown Zoning and Development Bylaw to designate the property at 77 Upper Prince Street (PID# 359359) as a Heritage Resource and to consider an amendment to Appendix "A" Future Land Use Map of the Official Plan from Low Density Residential to Institutional, and an amendment to Appendix "H" - Zoning Map of the Charlottetown Zoning and Development Bylaw to rezone this property from Low Density Residential (R-2) Zone to Institutional (I) Zone be approved.

In response to a question concerning notification of a public meeting to area residents, Councillor Lantz indicated letters are sent out to property owners within a 100 meters radius of the subject property as per the Charlottetown Zoning and Development Bylaw.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a lot consolidation of the properties at 31, 43 and 45 Queen Street (PID#s 335638, 335646 & 335653), subject to the receipt of pinned survey plans, be

approved.

CARRIED 9-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the application for a gazebo to be located in the rear yard at Fanningbank, 1 Terry Fox Drive, PID# 365965, TIR Dwg 2475 dated May 2013, as presented to Heritage Board be approved.

CARRIED 9-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the Heritage component of the conceptual design for an addition to 43 Queen Street, PID# 335646, as presented to Heritage Board be approved.

CARRIED 9-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the application for signage at 130 Queen Street, the Confederation Centre of the Arts, PID# 3340422, as presented to Heritage Board, exclusive of the Allupanel on the retaining wall and the arrow on the sidewalk, be approved.

CARRIED 9-0

10. New Business

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That Charlottetown City Council request Mayor Lee to write a letter in support of designating Province House a UNESCO World Heritage Site.

CARRIED 9-0

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Jason Coady**

RESOLVED:

That Charlottetown City Council support the Brain Injury Association of PEI and the Brain Injury Association of Canada to designate June as National Brain Injury Awareness Month.

CARRIED 9-0

The meeting adjourned at 6:10 PM