



**Regular Meeting of Council  
Monday, July 13, 2015 at 4:30 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee presiding**

**Present:**      **Deputy Mayor Mike Duffy**                      **Councillor Terry Bernard**  
                         **Councillor Melissa Hilton**                      **Councillor Edward Rice**  
                         **Councillor Jason Coady**                      **Councillor Mitchell Tweel**  
                         **Councillor Greg Rivard**                      **Councillor Terry MacLeod**  
                         **Councillor Kevin Ramsay**                      **Councillor Bob Doiron**

**Also:**            **Roy Main, CAO**    **Donna Waddell, DCS**  
                         **Paul Johnston, PWM**                                      **Scott Ryan, FM**  
                         **Paul Smith, PC**    **Randy MacDonald, FC**  
                         **Craig Walker, UM**                                        **Mandy Feuerstack, HRM**  
                         **Frank Quinn, PC**                                        **Laurel P. Thompson, PDO**  
                         **Wayne Long, EDO**                                       **Ron Atkinson, EconDO**  
                         **Ramona Doyle, SO**                                      **Donna Hurry, TO**  
                         **Jen Gavin, CO**    **Karen Campbell, CS**  
                         **Tracey McLean, RMC**

Mayor Lee called the meeting to order.

The Mayor congratulated Roy Main, CAO, on receiving recognition from the Canadian Association of Municipal Administrators (CAMA) for 35 years of service in municipal government.

**Minutes of the previous meetings were by motion adopted:**  
                         **Regular Meeting – June 15, 2015**  
                         **Special Meeting – June 29, 2015**  
                         **Committee of Council Meetings (open) – June 18 & July 6, 2015**

**REPORTS OF COMMITTEES / RESOLUTIONS**

**1. Finance, Audit & Tendering – Councillor Melissa Hilton**  
Councillor Hilton indicated her Committee's report was included in the weekend package.

A question of public engagement with respect to the budget process was raised once again. Councillor Hilton indicated the Committee has begun the 2016 budget process and public engagement has been discussed.

**Moved by Councillor Melissa Hilton  
Seconded by Councillor Eddie Rice**

**RESOLVED:**

That the City of Charlottetown adopt the recommendations as amended for Council Remunerations as contained in the 2015 City of Charlottetown Members of Council - Compensation Review prepared by Peter Kelly, MBA.

**CARRIED 7-3**

**Councillors Coady, Doiron & Rice recorded “nay” votes**

**2. Human Resources, Communications & Administration – Councillor Terry MacLeod**

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

By request, the Environment & Sustainability Committee report was moved up to Agenda Item #3.

**3. Environment & Sustainability – Councillor Robert Doiron**

Councillor Doiron indicated the Committee did not meet since the last Council meeting.

Councillor Hilton excused herself from the Chambers due to a conflict regarding the following bylaw reading.

**2<sup>nd</sup> reading of the Cosmetic Pesticides Bylaw** – to introduce regulations for the use of non-domestic pesticides for the control of landscape pests within the City of Charlottetown.

**Moved by Councillor Terry MacLeod  
Seconded by Councillor Jason Coady**

**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.

Councillor Rice suggested an amendment to the bylaw. Moved by Councillor Rice and seconded by Councillor Coady *that the infestation exemption clause be deleted*. After some discussion on the proposed amendment, Mayor Lee asked Council to vote and it was defeated 5-4 with Councillors Rivard, Tweel, Bernard, MacLeod and Doiron opposed.

Councillor Rice then suggested another amendment. Moved by Councillor Rice and seconded by Deputy Mayor Duffy *that the infestation exemption clause be identical to Town of Stratford for ease of enforcement and consistency by amending the bylaw in the following manner:*

*1. Change the definition of pest to apply only to insects*

*2. Require that the infestation be defined by using Integrated Pest Management thresholds*

*3. Require a \$50 administration fee for an exception permit*

Councillors voted on the noted amendment and it was defeated 5-4 with Councillors Rivard, MacLeod, Doiron, Tweel and Bernard opposed. The Mayor called for Council to vote on the original bylaw; defeated by a 6-3 vote with Councillors Rivard, Macleod, Doiron, Coady, Duffy and Bernard opposed.

**4. Economic Development, Tourism, Arts & Culture – Deputy Mayor Mike Duffy**

Deputy Mayor Duffy indicated his Committee's report was included in the weekend package. He extended thanks to those who assisted with both the City of Charlottetown's Canada Day and Natal Day/250 Week celebrations.

**5. Parks, Recreation & Leisure Activities – Councillor Mitchell Tweel**

Councillor Tweel indicated his Committee's report was included in the weekend package. Volunteer of the Month for July was awarded to the Organizing Committee for the 2015 Acadian Games.

**Moved by Councillor Mitchell Tweel**

**Seconded by Councillor Robert Doiron**

**RESOLVED:**

That the City of Charlottetown agrees to work with Sinking Ship Entertainment to pursue a Giver Canada 150 project in Charlottetown, and

That there is no impact to the City of Charlottetown in either the Capital or Operational budgets.

**CARRIED 10-0**

**Moved by Councillor Mitchell Tweel**

**Seconded by Councillor Jason Coady**

**RESOLVED:**

That the City of Charlottetown extend congratulations to Brad Richards of Murray Harbour and member of the Chicago Blackhawks on winning the Stanley Cup and bringing the cup back to PEI.

**CARRIED 10-0**

**6. Planning & Heritage – Councillor Greg Rivard**

Councillor Rivard indicated his Committee's report was included in the weekend package. He reported that the Planning and Heritage Department held an Open House on Wednesday, June 24 at the Malcolm Darrach Centre; many residents attended and left feedback concerning the East Royalty Draft Master Plan.

**Moved by Councillor Greg Rivard**

**Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the request to proceed to the public consultation phase to consider rezoning a portion of PID# 419143 on Angus Drive from Single Detached Residential (R-1L) to Mixed Use Corridor (MUC) and P (Parking), and 413 St. Peter's Road (PID# 419135) from Low Density Residential (R-2) to Mixed Use Corridor (MUC) and P (Parking), and to amend the Future Land Use Map of the Official Plan from Low Density Residential to Commercial be approved.

It was noted as to avoid any confusion for area residents, meetings for the Official Plan and the East Royalty Master Plan will be held separately.

**CARRIED 9-0**

**Councillor Coady was out of the room during vote**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the variance request to place the parking lot in the front yard of the proposed apartment building at 27 Elena Court (PID# 191783) rather than the rear yard to protect the environmental elements of the adjacent Andrew's Pond be approved.

In response to concern raised with regard to Andrew's Pond, Councillor Rivard referred to Laurel P. Thompson, PDO, who indicated the developers are required to implement sediment control traps to protect the pond during construction.

**CARRIED 10-0**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the variance request to allow as a temporary use digital signage on the kiosk located on the City's right-of-way at the corner of Kent Street and Great George Street for a period of one year, be approved.

**CARRIED 10-0**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the application to demolish the existing breezeway at 246 Sydney Street and to construct a new connection as presented to Heritage Board and as shown in Chandler Architect Drawings dated June 22, 2015 with changes to be approved by the Planning & Heritage Department, be approved.

**CARRIED 10-0**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the variance request to allow as a temporary use digital signage on the kiosk located on the City's right-of-way at the corner of Kent Street and Great George Street for a period of one year be approved.

**CARRIED 9-1**

**Councillor Rice recorded a "nay" vote**

**7. Protective & Emergency Services – Councillor Jason Coady**

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

Concern was raised once again regarding Highway Traffic Act fines; amount of tickets issued continue to diminish and how that can affect pedestrian safety, etc. Councillor Coady indicated that the Committee and Police Services continue to work on proper enforcement.

In response to a question concerning panhandling, Councillor Coady indicated this matter has been discussed with the Police Chief and will be reviewed at Committee in the near future.

Concern was raised with respect to speeding on University Avenue particularly between Allen Street and Nassau Street and on Seaview Boulevard. The concern was taken under consideration by Councillor Coady.

**Moved by Councillor Jason Coady  
Seconded by Councillor Greg Rivard**

**RESOLVED:**

That the Public Works Manager be authorized to cut grass and subsequent under growth that would lead to the existence of animal life and remove any other materials or debris; clean up and properly dispose of same, at the owners expense, on property located at 604 Queen Street (PID# 835827) in accordance with the terms of the Dangerous, Hazardous and Unsanitary 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 10-0**

**8. Public Works & Urban Beautification – Councillor Terry Bernard**

Councillor Bernard indicated his Committee's report was included in the weekend package. He noted walking tours of Charlottetown's public gardens are being held in July and August; brochures are available at City Hall and on the City's website. Deadline for applications in the Make Charlottetown Bloom contest is July 17. He further noted the National Communities in Bloom judges are in Charlottetown July 21-23 to evaluate all City neighbourhoods. Councillor Bernard reported resurfacing on North River Road, Royalty Road, Royalty Junction Road and Donald Drive are complete.

The number of employees currently working under the Public Works & Urban Beautification departments was requested. Councillor Bernard indicated that information would be available from the Human Resources department.

Concern was raised regarding the condition of the street on Hunt Avenue. Councillor Bernard indicated the streets are rated on a worst first basis.

It was requested there be some kind of plan/schedule established to clean up the leaves from parks particularly Centennial Park and Rosedale Park. Councillor Bernard took the request under advisement.

**Moved by Councillor Terry Bernard  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That for Winter Street Services, J. E. Matheson Construction Inc. be assigned a 5-year contract for a North-West section at a 2015-16 rate of \$6,465.00 per km (taxes extra).

**CARRIED 10-0**

**Moved by Councillor Terry Bernard  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That for Winter Street Services, Chapman Brothers Construction Ltd. be assigned a 5-year contract for a North-East section at a 2015-16 rate of \$10,738.00 per km (taxes extra).

Councillor Bernard noted the kilometer rate for North-East is higher than the North-West section due to higher drifting and accumulated snow.

**CARRIED 10-0**

**Moved by Councillor Terry Bernard  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That for Winter Street Services, the Provincial Department of Transportation, Infrastructure & Energy be assigned a 7-year contract for the Priority Streets section at a 2015-16 rate of \$14,000.00 per km (taxes extra, deicing materials included).

**CARRIED 10-0**

**Moved by Councillor Terry Bernard  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That, per the publicly advertised tender for “2015 Storm Sewer – Package A”, the low submission of Birt & MacKay Backhoe Services Ltd. in the amount of \$540,504.79 (14% HST included) be accepted, and

That this expenditure has been previously approved in the 2015 Capital budget,

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

In response to a question raised, Councillor Bernard indicated the areas listed within the tender include MacWilliams Road, Pearson Street and Hawthorne Avenue.

**CARRIED 10-0**

**9. Water & Sewer Utility – Councillor Edward Rice**

Councillor Rice indicated his Committee's report was included in the weekend package. He noted the Water and Sewer Utility Department recently provided a \$32,000 grant to the Winter River-Tracadie Bay Watershed Association which will be put towards awareness campaigns related to buffer zones, water conservation, monitoring programs and habitat enhancement.

**Moved by Councillor Eddie Rice  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

WHEREAS, the City of Charlottetown passed a policy resolution of April 10, 2000 "that City Council confirm its policy not to entertain applications for water service to properties outside the municipal boundary of the City of Charlottetown" without first receiving approval from City Council to do so.

BE IT RESOLVED, that City Council approves the request for access to water service received from the PEI Department of Transportation and Infrastructural Renewal (TIR). The request is for water service to the Provincial Correctional Centre to be located on Sleepy Hollow Road Road, within the Community of Miltonvale Park.

BE IT FURTHER RESOLVED THAT the costs associated with making the connections will be paid by TIR and that the services will be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.

**CARRIED 10-0**

**Moved by Councillor Eddie Rice  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the City of Charlottetown accepts the proposal for consulting services from CBCL Limited in the amount estimated at \$37,100 (taxes extra) for the Consulting Engineering Services at the Charlottetown Pollution Control Plant, and

That this be expensed out of the 2015 Utility Capital Budgets,

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

**CARRIED 10-0**

**Moved by Councillor Eddie Rice  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the City of Charlottetown accepts the proposal for the Residential Water Meter Installation Program from Bevan Bros. in the amount estimated at \$1,204,511 (taxes extra), and

That this be expensed out of the Utility Capital Budgets,

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

**CARRIED 10-0**

**Moved by Councillor Eddie Rice  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the City of Charlottetown accepts the proposal for Engineering Services from CBCL Ltd. in the amount estimated at \$108,050 (taxes extra) for the Colonel Grey Sewershed Rehabilitation Project, and

That this be expensed out of the 2015 Utility Capital Budgets,

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

**CARRIED 10-0**

**10. Advanced Planning, Priorities & Special Projects – Councillor Kevin Ramsay**  
Councillor Ramsay indicated his Committee's report was included in the weekend package.

In response to an update request concerning the proposed new fire station, Councillor Ramsay indicated the matter will be discussed at the next committee meeting.

**11. Intergovernmental Affairs & Event Attraction – Councillor Terry Bernard**  
Councillor Bernard indicated the Committee did not meet since the last Council meeting.

It was suggested the Committee review the possibility of funding opportunities to attract events to the new Charlottetown Event Grounds.

**12. New Business**

Councillor Hilton excused herself from the Chambers due to a conflict regarding the following motion.

**Moved by Councillor Robert Doiron  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the City of Charlottetown petition the Province of PEI to amend CAMA to delete Section 64.(1) (1.2), (1.3) and (1.4) dealing with cosmetic pesticides.

**CARRIED 5-4**

**Councillors Coady, Duffy, Rice & Tweel recorded "nay" votes**

**The meeting adjourned at 6:10 PM**