



**Regular Meeting of Council
Monday, April 13, 2015 at 7:00 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

Present: **Councillor Terry Bernard** **Councillor Melissa Hilton**
 Councillor Edward Rice **Councillor Mitchell Tweel**
 Councillor Jason Coady **Councillor Bob Doiron**
 Councillor Greg Rivard

Also: **Roy Main, CAO** **Donna Waddell, DCS**
 Paul Johnston, PWM **Scott Ryan, FM**
 Paul Smith, PC **Randy MacDonald, FC**
 Alex Forbes, PM **Craig Walker, UM**
 Mandy Feuerstack, HRM **Richard MacEwen, UAM**
 Nancy McMinn, PS **Wayne Long, EDO**
 Ron Atkinson, EconDO **Ramona Doyle, SO**
 Greg Morrison, PDO **Jen Gavin, CO**
 Karen Campbell, CS **Tracey McLean, RMC**

Regrets: **Deputy Mayor Mike Duffy** **Councillor Kevin Ramsay**
 Councillor Terry MacLeod **Donna Hurry, TO**

Mayor Lee called the meeting to order.

The Mayor introduced poet, Jane Ledwell, who read a poem in recognition of National Poetry Month.

Minutes of the previous meeting were by motion adopted:

Regular Meeting – March 9, 2015
Public Meetings – March 27 & April 1, 2015
Committee of Council (open) – April 2, 2015

REPORTS OF COMMITTEES / RESOLUTIONS

1. Human Resources, Communications & Administration – Councillor Terry MacLeod
Councillor Rivard, on behalf of Councillor MacLeod, indicated the Committee's report was included in the weekend package.

2. Intergovernmental Affairs & Event Attraction – Councillor Terry Bernard
Councillor Bernard indicated his Committee did not meet since the last Council meeting. He announced that The City of Charlottetown's sport tourism brand SCORE! was awarded a 2015 PRESTIGE Award through Canadian Sport Tourism Alliance (CSTA); recognized as the Sport

Tourism Organization of the Year.

3. Parks, Recreation & Leisure Activities – Councillor Mitchell Tweel

Councillor Tweel indicated his Committee's report was included in the weekend package. The Volunteer of the Month for April was awarded to Harold "Spike" Morrow. He noted that Phase I Lighting of the Confederation Trail has been completed (Kensington Rd. to Allen St.).

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

RESOLVED:

THAT the City of Charlottetown accepts the bid of \$7,056.50 (HSTI) from Playpower for equipment at Andrews Court Park and the bid of \$45,283.08 (HSTI) from Playpower for the replacement of equipment at Victoria Park. The City of Charlottetown accepts the bid of \$19,690.11 (HSTI) from Henderson for equipment at Bomber Callaghan Park and the bid of \$9,493.66 (HSTI) from Henderson for the replacement of equipment at Doncaster Park. The City of Charlottetown accepts the bid of \$3,099.66 (HSTI) from Jambette for equipment at Parricus Mead and Messer Park, and

That in addition, \$40,000.00 be approved for playground removal, installation and contingency costs for the City's 2015 playground projects,

And further that this amount is within the approved 2015 Parks and Recreation Capital Budget.

Councillor Tweel indicated that all replacements were recommended due to the age of the existing equipment. He further indicated the criteria for assessment and evaluation of new equipment included price, playability, number of children that can be accommodated and creativity.

CARRIED 7-0

4. Planning & Heritage – Councillor Greg Rivard

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

A question was raised with respect to a proposed telecommunications tower in the Brighton area. Councillor Rivard indicated the Brighton Rear Range Light, which is where the tower will be installed, is owned by the Federal government and is considered an exempted structure by Industry Canada whereby public consultation is not required.

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

RESOLVED:

That the request for a coffee shop drive thru for the property located at 659 University Avenue (PID# 387829) be approved.

CARRIED 7-0

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

RESOLVED:

That the amendments to the Zoning & Development Bylaw as they relate to Mobile Canteens on private property be approved.

Councillor Rivard advised Council that two changes have occurred with regard to Mobile Canteens since the public consultation – front and side yard setbacks in each commercial zone and canteens must be removed by October 31 of each year.

CARRIED 7-0

1st & 2nd readings of the Zoning and Development Bylaw - To amend the City of Charlottetown Zoning and Development Bylaw to include new regulations regarding Mobile Canteens on private property.

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

RESOLVED:

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

CARRIED 7-0

**Moved by Councillor Greg Rivard
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.

CARRIED 7-0

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

RESOLVED:

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

CARRIED 7-0

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

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 7-0

5. Protective & Emergency Services – Councillor Jason Coady

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

It was noted the data relating to moving and non-moving violations was missing from the report. As well, a chart to indicate the number of tickets issued by the Police in 2014 and thus far in 2015, was requested. Councillor Coady indicated he would follow-up and advise.

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

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) parking spaces in front of Freshii Charlottetown Ltd, 133 Queen Street (PID# 340240), be approved to the end of the 2017 season, subject to annual permit applications,

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

CARRIED 7-0

1st & 2nd readings of the Street Vendors Bylaw – amendments to Part VI Section 6.2(f), 6.2(g) and 6.2(p) of the Street Vendors Bylaw

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

RESOLVED:

That the bylaw to amend the "Street Vendors Bylaw" be read a first time.

CARRIED 7-0

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

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 7-0

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

RESOLVED:

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

CARRIED 7-0

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

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the "Street Vendors Bylaw" and that it be read a third time at the next Public Meeting of Council.

CARRIED 7-0

6. Public Works & Urban Beautification – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package. He noted the Committee recently renewed its extension with the operators of the parking meter pay-by-phone service.

Concern was raised regarding the amount of potholes throughout the city. Councillor Bernard indicated the asphalt crew is out ensuring they are filled and priority given to the more hazardous potholes.

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

RESOLVED:

That, as per the conditions of the March 2014 public quotation for "Backhoe & Truck Hire for Culvert Services", including possible extension to the 2015 season, the low submission of Lea MacDonald Construction at a combined hourly price of \$87.78 per hour (all taxes included) be accepted.

CARRIED 6-1

Councillor Doiron registered a "nay" vote

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

RESOLVED:

That, per the conditions of the April 2014 public tender for "Topsoil Supply" including possible extension to the 2015 season, the low submission of Shea's Bulldozing Ltd. at a prices of \$124.26 per 15 cubic yard load Common and \$169.86 per 15 cubic yard load Screened (all taxes included) be accepted.

CARRIED 6-1

Councillor Doiron registered a "nay" vote

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

RESOLVED:

That, the Capital Budget item for "Dutch Elm Management Program" be increased by up to \$200,000 (\$700,000 total).

Councillor Bernard noted the Advanced Planning, Priorities and Special Projects Committee initially budgeted \$500,000 for the program; cutting and stumping alone cost \$480,000. He further noted the above request is to cover disposal and replanting (2 for 1 tree replacement).

**CARRIED 6-1
Councillor Doiron registered a “nay” vote**

A question concerning methods of disposal of diseased Dutch elms was raised. Question was taken under consideration.

7. Water & Sewer Utility – Councillor Edward Rice

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

**Moved by Councillor Edward Rice
Seconded by Councillor Terry Bernard**

RESOLVED:

COMPENSATION FOR EXPROPRIATED LANDS

WHEREAS on the 8th day of September, 2014, Council passed a resolution for compensation for expropriated lands for a public utility easement over a portion of Provincial Parcel Number 368191 owned by Mr. E. Brian Johnston (the “Landowner”);

AND WHEREAS the City and the Landowner have completed negotiations and have arrived at an agreement on compensation to be paid by the City for the Easement;

BE IT RESOLVED that pursuant to Section 56 of the Charlottetown Area Municipalities Act, the City shall pay to the Landowner the amount of Fourteen Thousand and Thirty Five Dollars (\$14,035.00 CDN) in full and final compensation for the Easement.

CARRIED 7-0

8. Advanced Planning, Priorities & Special Projects – Councillor Kevin Ramsay

Councillor Tweel, on behalf of Councillor Ramsay, indicated the Committee did not meet since the last Council meeting.

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

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

10. Environment & Sustainability – Councillor Robert Doiron

Councillor Doiron indicated his Committee’s report was included in the weekend package. He noted applications for the 2015 Community Micro-Grant Program are now being accepted and he encouraged individuals and community organizations to submit their project idea for funding consideration. Councillor Doiron advised that a public forum to gather feedback on the proposed draft bylaw to regulate cosmetic pesticides in the capital city will be held at the Rodd Charlottetown Hotel on April 27, 2015 at 7:00 PM.

11. Finance, Audit & Tendering – Councillor Melissa Hilton

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

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That per the publicly advertised tender for "Police Vehicles", the lowest submission of Reliable Motors in the amount of \$124,632 (taxes included) be accepted.

CARRIED 7-0

12. New Business

**Moved by Councillor Robert Doiron
Seconded by Councillor Jason Coady**

RESOLVED:

That the appointment of Michelle Shepherd on February 9, 2015 to the Seniors Advisory Board be withdrawn, and

That Ms. Shepherd be appointed to the Police Community Consultative Group effective April 13, 2015 as nominated by His Worship Mayor Clifford Lee.

CARRIED 7-0

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

RESOLVED:

That the Regular City Council Meeting, which would normally be held Monday, June 08, 2015 be rescheduled to Monday, June 15, 2015 at the hour of 4:30 PM.

CARRIED 7-0

The meeting adjourned at 7:55 PM