

PUBLIC COUNCIL MEETING MINUTES
April 19, 2011

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on April 19, 2011 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor John Walsh
Councillor Paula Tessier
Councillor Dave Aker

STAFF PRESENT

Michele Peach, Chief Administrative Officer
Stephen Jewczyk, Director, Planning & Development
Scott Lush, Director, Infrastructure & Public Works
Brian Chmarney, Director, Community Services
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Councillor Paul Lane

Mayor Simms chaired the meeting.

11-04-249 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Tessier

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

11-04-250 Adoption of Minutes

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on April 5, 2011 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

11-04-251 Citizen of the Year

Congratulations were extended to the Citizen of the Year nominees and the recipient, Andrew Ledwell.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

11-04-252 St. Peter's Elementary – Multiculturalism Week

A letter was presented from St. Peter's Elementary outlining activities undertaken to celebrate Multiculturalism Week.

COMMITTEE REPORTS

PLANNING & LAND USE DEVELOPMENT COMMITTEE

11-04-253 Proposed Anglican Church Development
Anglican Cemetery Property - Kenmount Road

Motion – Deputy Mayor Locke/Councillor Tessier

RESOLVED THAT an application from St. Michael's Anglican Church for a municipal plan and development regulations amendment to permit a church use within the Cemetery designation (Kenmount Road) be denied as such an amendment is premature due to the lack of availability of municipal water and sewer services for the church to connect to at the time of its development.

Discussion: Councillor Aker did not support the motion on the basis of the applicant being a Church, a non profit organization, and he would support an exception to the policy. Councillor Stoyles did not support the motion noting that the organization is willing to put in writing an agreement to install water and sewer services when they are available.

While other members of Council welcomed the Church to the City, they could not support the application on the basis of fairness and consistency, noting that similar applications have been denied in the past.

Question called. Motion carried with Councillors Aker & Stoyles voting against the motion.

11-04-254 Royal Architectural Institute of Canada (RAIC) Annual Conference
Vancouver, BC – May 25-27, 2011

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the Director of Planning & Development to attend the Royal Architectural Institute of Canada (RAIC) Annual Conference in Vancouver, BC – May 25-27, 2011, with the per diem costs to be covered by the City (Professional Development & Training Policy) and all other travel costs to be paid by RAIC.

Question called. Motion carried unanimously.

11-04-255 2011 Canadian Institute of Planners Annual Conference
Request for Sponsorship

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the City of Mount Pearl to be a Silver Sponsor, with a sponsorship amount of \$2,500.00, for the Annual Canadian Institute of Planners' Conference that is being hosted in Newfoundland on July 10-13, 2011.

Discussion: It was noted that the Director of Planning & Development is the Chairperson of the organizing committee.

Question called. Motion carried unanimously.

11-04-256 Variance Request – Proposed Two-Car Garage
Increase in Accessory Building Floor Area Standard
33 Sunrise Avenue

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT a development application to construct an accessory building in the rear yard of the property at 33 Sunrise Avenue, requiring a variance, be approved and a development permit issued subject to the following conditions:

1. City of Mount Pearl Development Regulations, 1988;
2. City of Mount Pearl Building Regulations;

3. Inspection Services requirements; and
4. Planning Services requirements.

Question called. Motion carried unanimously.

11-04-257 Mount Pearl Municipal Plan Review (City Plan 2010)
and Mount Pearl Development Regulations 2010

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Mount Pearl Municipal Plan Review (City Plan 2010) and the Mount Pearl Development Regulations 2010 be adopted.

Question called. Motion carried unanimously.

11-04-258 Establishment of Public Hearing Date and Appointment of Commissioner
Mount Pearl Municipal Plan Review (City Plan 2010) and
Mount Pearl Development Regulations 2010

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to schedule the public hearing date for the Mount Pearl Municipal Plan Review (City Plan 2010) and the accompanying Development Regulations 2010 for May 11, 2011 at 7:00 pm in the Council Chambers; AND FURTHER THAT Jody Saunders to be appointed as Commissioner.

Question called. Motion carried unanimously.

11-04-259 Order – 3 Emerald Drive

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT pursuant to the Urban and Rural Planning Act, approval be granted to ratify the issuance of an Order to the property owner of 3 Emerald Drive for the extermination of rodents.

Question called. Motion carried unanimously.

11-04-260 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of April 2 - 15, 2011, showing a total construction value of \$2,084,000.00, be approved as presented.

Question called. Motion carried unanimously.

COMMUNITY SERVICES COMMITTEE

11-04-261 Tender Award
Design/Build Skatepark and Associated Site Works

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for the design and construction of the Skatepark, as well as the associated site work, be awarded to Newline Skate Parks Inc. for the bid amount of \$537,355.10.

Discussion: It is noted that the low bidder withdrew their bid submission as they cannot accommodate the bid as they had not accounted for ancillary costs. Council commended staff for their efforts with this development and noted that the want and need is there for this project.

Question called. Motion carried unanimously.

11-04-262 Mount Pearl Sport Alliance
Final Installment Operating Subsidy

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to release the remaining budget balance of funding (\$80,000) to the Mount Pearl Sport Alliance for minor sport groups as per the Alliance sport funding criteria provided under the current Memorandum of Understanding.

Question called. Motion carried unanimously.

11-04-263 2010 Focus on Youth Awards Dinner
Catering Quotations

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to award the quotation for catering services for the Focus on Youth Awards Dinner to Brian's Catering at a cost of \$14.68/person (HST included).

Discussion: It was requested that the CAO investigate whether the publication of each supplier's quote was in compliance with privacy legislation.

Question called. Motion carried unanimously.

11-04-264 St. John Ambulance
2011 Fee for Service

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to release the 2011 annual fee for service to the St. John Ambulance, Mount Pearl Division, in the amount of \$3,000.00, covering the period of January 1, 2011 to December 31, 2011.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

11-04-265 Request for Tax Consideration

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to exempt the 2011 business taxes in accordance with Council's policy for charitable organizations, for the following:

| Name | Address | Type | Annual Amt |
|--|----------------|-----------------|------------|
| Co-operative Housing Association of NL | 75 Barbour Dr | Business (100%) | \$377.65 |
| Newfoundland & Labrador Employers' Council | 129 Glencoe Dr | Business (100%) | \$3,588.12 |

Question called. Motion carried unanimously.

11-04-266 Interest Write Off
5167 NL Ltd. – 1007-1027 Topsail Road

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to write off interest in the amount of \$2,000.05 subject to the payment of \$23,015.00 (representing principal \$20,975.98 and interest \$2,027.02) for 5167 NL Ltd., 1007-1027 Topsail Road.

Question called. Motion carried unanimously.

11-04-267 Invoices for Approval

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

| | | |
|----|--|-----------------|
| 1. | Crown Contracting Inc. (Street Markings) | \$ 5,050.00 |
| 2. | G.M. Media Productions Ltd. (Compile DVDs) | \$ 5,396.32 |
| 3. | Magna Contracting & Management Inc. (Glacier Interior Fit-up- Progress Inv. No. 12) | \$ 205,591.68 |
| 4. | Cimco Refrigeration (Glacier Refrigeration - Progress Inv. No. 3) | \$ 64,962.68 |
| 5. | Bae Newplan Group Limited (Professional Services - Pearlgate Recreation Centre) | \$ 622,036.75 |
| 6. | Weir's Construction Ltd. (2008 Street Upgrading Park Ave - Progress No.14) | \$ 505,981.95 |
| | TOTAL | \$ 1,409,019.38 |

Question called. Motion carried unanimously.

ENGINEERING COMMITTEE

11-04-268 Cardinal Properties Limited
Request for Release of Security - \$65,000
Pearlview Phase 3 – Corte Real Place

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to release a certificate of total performance, as well as security in the amount of \$65,000, to Cardinal Properties Limited for Pearlview Phase 3 (Corte Real Place).

Question called. Motion carried unanimously.

NEW BUSINESS

11-04-269 Manager – Scotia Bank

Councillor Stoyles extended congratulations to Darren Martin (former manager – Mount Pearl branch) on his new position with the bank. She welcomed Gary Neil, the new manager of the Mount Pearl branch.

11-04-270 Household Movers & Shippers

Councillor Stoyles extended congratulations to Household Movers & Shippers upon receiving several awards at the North American Moving Services Convention in Las Vegas. Along with the 2010 Quality Agent Award, two of their sales people Mary Piccott and Eileen Greenslade were the number one and two salespeople respectively for their division within

Canada. It was requested that letters of congratulations be forwarded from the Mayor's office.

11-04-271 Condolences

Councillor Walsh extended condolences to Pat Walsh and family on the passing his mother, Frances.

11-04-272 Municipalities Newfoundland & Labrador (MNL) – Avalon Regional Meeting

Councillor Stoyles advised that the Avalon Regional Meeting has been rescheduled for May 13 and 14 at the Recreation Centre in Heart's Content.

11-04-273 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the NEAJC will be meeting in Holyrood on April 20, 2011. She noted that former CAO, Gerard Lewis, was being recognized at this meeting for his involvement with the organization.

11-04-274 Seniors Independence Group

Councillor Stoyles extended her appreciation to all the volunteers with the Seniors Independence Group.

11-04-275 Focus on Youth Awards – Speak Off

Councillor Walsh advised that the "speak off" portion of the Focus on Youth Awards will be held on April 20, 2011, commencing at 7:30 pm in the Council Chambers.

11-04-276 Citizen of the Year

Councillor Walsh extended congratulations to the Citizen of the Year nominees and recipient. He acknowledged the success of the new format for the event and supported the continuation of holding the event as the kick off to Volunteer Week.

11-04-277 Rodents

Councillor Walsh encouraged residents to maintain their property to prevent rodents from being on their property. He noted that rodents are attracted to bird feeders, garbage, animal droppings, etc.

11-04-278 20-Minute Makeover

Councillor Walsh advised that the Department of Community Services is once again organizing the spring anti-litter campaign. The 20-Minute Makeover event encourages individuals, groups, schools and businesses

to get outside for just 20 minutes to lend a hand and help keep Mount Pearl beautiful.

11-04-279 Corporate Community – Litter

Mayor Simms raised the issue of litter (flyers, wrappers, etc) ending up on the sides of City streets and fences. It was noted that the Infrastructure & Public Works Department has previously considered the issue and, in some instances, discussions have been held with the retail managers. It was also suggested that store flyers be removed from carts at the point of sale. The Director of Infrastructure & Public Works advised that areas along Old Placentia Road are currently being cleaned. It was requested that a review of what's been done to address this matter be undertaken and a course of action determined.

11-04-280 Church of the Good Shepherd

Councillor Aker advised that the Parish of the Good Shepherd recently received funding (\$33,450) under the Provincial Homelessness Fund (PHF). This funding will enable the Parish to expand their lunch program held every Wednesday.

11-04-281 Animal Droppings

Deputy Mayor Locke reminded owners to clean up after their pets while walking the City streets and trails. He also encouraged residents to have respect for their City and not dump garbage in the trail system. He noted that everyone has to take a part to protect and maintain their community.

11-04-282 Snowclearing Damages

Deputy Mayor Locke queried if there was a more cost effective way to reduce the damage to property as a result of snowclearing. The Director of Infrastructure & Public Works advised that markers are placed in the problematic areas and new equipment with the laser guided wing blades does reduce some of the damage.

11-04-283 Provincial Ball Hockey Tournament

Deputy Mayor Locke extended congratulations to the Mount Pearl Senior High Boys Ball Hockey Team on their placement in the recent provincial tournament.

11-04-284 French Speak Off

Deputy Mayor Locke extended congratulations to Sean Leonard, a Mount Pearl Senior High student, on his winning the recently held French

Provincial Speak Off. It was requested that a letter of congratulations be forwarded from the Mayor's office.

11-04-285 Welcome – CAO

Deputy Mayor Locke extended a welcome to Michele Peach in her new role as CAO.

11-04-286 Uncovered Household Garbage

Councillor Tessier reminded residents that household garbage is to be covered when placed to the curb and has been in effect since April 1.

Some discussion ensued on ways of addressing incidents of uncovered garbage, i.e. issue a warning; if garbage is uncovered the following week, take the garbage but issue a ticket. Residents were also reminded that the coverings are to adequately cover the garbage.

11-04-287 2011 Arts & Letters Awards

Councillor Tessier extended congratulations to two residents who recently won a 2011 Arts & Letters Award. They are –

- Erin Connolly Junior Division Visual Art
- Justin Simms Senior Division Dramatic Script

It was requested that letters of congratulations be forwarded from the Mayor's office.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:20 pm on a motion by Councillor Aker and seconded by Councillor Walsh.

Chairperson

Deputy City Clerk