

PUBLIC COUNCIL MEETING MINUTES
April 2, 2013

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on April 2, 2013 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Councillor Lucy Stoyles
Councillor John Walsh
Councillor Andrew Ledwell

STAFF PRESENT

Michele Peach, Chief Administrative Officer
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director of Community Services
Julia Schwarz, Manager, Planning & Development
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Deputy Mayor Jim Locke
Councillor Paula Tessier
Councillor Dave Aker

STAFF ABSENT

Stephen Jewczyk, Director, Planning & Development

Mayor Simms chaired the meeting.

13-04-219 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

13-04-220 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the minutes of the public meeting held on March 19, 2013 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING/ACTION REPORT

No business arose from the previous minutes. The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

13-04-221 Proclamation – “Parkinson’s Awareness Month”

Mayor Simms signed a proclamation declaring April as “Parkinson’s Awareness Month” in the City of Mount Pearl. Helen Baggs, a member of the Parkinson’s Society and resident of Mount Pearl provided information on the disease.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE REPORT

13-04-222 Public Works Division (Update)

It was noted that the layoff for seasonal operators took place on March 28. Appreciation was extended to the crew for their efforts during the winter season. Seasonal recalls for the summer will take place around the end of April or early May (weather depending). When a full complement of staff has returned to work repairs to damages caused to residential properties as a result of our snow clearing efforts will commence. The sidewalk and street sweepers will be utilized as weather permits and repairs to curbs and sidewalks will also be in full force. Residents are encouraged to report any potholes to the City so repairs can be undertaken in a timely manner.

It was noted that the implementation of the garbage cart system has addressed the issue of household garbage being torn open. It was acknowledged that programs such as the 20 Minute Makeover will address the litter that has accumulated over the winter months around the city.

COMMUNITY SERVICES COMMITTEE REPORT

13-04-223 Arena Board of Management
2nd Installment Operating Grant

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT approval be granted to release the second installment of the 2013 operating grant in the amount of \$40,000 to the Arena Board of Management.

Question called. Motion carried unanimously.

13-04-224 Mount Pearl Citizen of the Year 2012 Banquet
Reid Community Centre - April 20, 2013

The Citizen of the Year 2012 banquet is scheduled for April 20 at the Reid Community Centre. All nominations (7) have been received. Advance ticket sales (\$15 each) will start on April 6 at the Reid Community Centre.

13-04-225 Zumba Classes
Reid Community Centre

Information was presented on zumba classes taking place at the Reid Community Centre commencing April 8. Further details are available on the City's website or by contacting the Reid Community Centre.

New Item

13-04-226 Focus on Youth Awards

Council was advised that 100 nominations, representing 9 different categories, have been received for the Focus on Youth Awards.

CORPORATE SERVICES COMMITTEE

13-04-227 Uncollectible Account
Tax Write Off

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT approval be granted to write off the balance and remove the following account from the City's records.

Name	Principal	Interest	Total
Robert M White Chartered Accountant	\$538.45	\$9.37	\$547.82

Discussion: It was noted that the business has closed and all collection efforts have been exhausted.

Question called. Motion carried unanimously.

13-04-228 Sponsorship
Municipalities Newfoundland and Labrador (MNL)
Avalon Regional Meeting

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT approval be granted to provide a \$500 sponsorship in support of a “meet and greet” at the MNL Avalon Regional meeting that was held March 15 – 16, 2013.

Question called. Motion carried unanimously.

13-04-229 Sponsorship
2013 Economic Developers Association of Canada Conference

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT approval be granted to provide a \$2500 sponsorship in support of the 2013 Economic Developers Association of Canada Conference being held September 21 – 24, 2013 in St. John’s.

Question called. Motion carried unanimously.

13-04-230 Invoices for Approval

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the following invoices be approved for payment:

1.	Diesel Injection Sales & Service (Winter Snow Storage - March 2013)	\$ 5,650.00
2.	Gardiner Centre (Professional Development Courses)	\$ 10,328.20
3.	Hitech Communications Ltd. (AVL Service - December 2012)	\$ 5,265.35
4.	Hitech Communications Ltd. (AVL Service - January 2013)	\$ 5,265.35
5.	Hitech Communications Ltd. (AVL Service - February 2013)	\$ 5,265.35

6.	St. John's Transportation Commission (Metrobus Service)	\$ 77,349.98
7.	Nortrax (Fleet Maintenance)	\$ 5,230.37
8.	Nortrax (Fleet Maintenance)	\$ 14,010.27
9.	Northbridge Insurance (Insurance Claim)	\$ 10,000.00
10.	Saunders Equipment Ltd. (Cart Tipper Dump for Pickup)	\$ 21,074.50
11.	Urban Contracting (J.J. Walsh) Limited (Demolish 30 Forest Avenue House and Garage)	\$ 10,735.00
12.	Weir's Construction Ltd. (Sidewalk Replacement, Smallwood Drive Intersections)	\$ 25,506.95
13.	Marco Services Ltd (Pearlgate Recreation Multiplex CP3 Progress Payment #10)	\$ 1,401,208.70
	Total	\$ 1,596,890.02

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

This is site specific to a portion of this property where we anticipate hotel will go.

ENGINEERING SERVICES COMMITTEE

13-04-231 Multiplex - Update

An update on the Multiplex construction was presented.

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT change order # 26 resulting from the need to extend and modify final connection to existing storm sewer, at an approximate cost of \$33,676.67, be approved.

Question called. Motion carried unanimously.

13-04-232 Softball Building Update

An update on the softball building construction was presented. Appreciation was extended to staff as well as the Grand Concourse Authority for their efforts in working together to build this facility.

13-04-233 Tender – Traffic Control Services

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for traffic control services to the sole bidder, Lighting & Traffic Systems Ltd., in the amount of \$95,691.75 (HST included).

Question called. Motion carried unanimously.

13-04-234 Tender – Pest Control Services

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the provision of pest control services to the lowest qualified bidder, Cabot Pest Control Ltd., in the amount of \$2,603.52 (HST included) (\$216.96 monthly inspections; \$44.64 hourly rate for call-in services (facility and outside services)) for a three-year period with an option for one year extension.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

13-04-235 Notice of Motion
Amendment – Mount Pearl Development Regulations 2010

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and in accordance with Council’s public notification policy, he will, at a regular meeting of Council, move an amendment to the Mount Pearl Development Regulations 2010, that, if enacted, will:

Amend Map 1 - Land Use Zoning Map, as follows:

Rezone the property situated at 912-924 Topsail Road from Commercial General (CG) to Commercial Mix (CM) Use Zone.

The intention of this proposed amendment is to provide Council with the authority to consider a proposed automobile dealership at this location.

13-04-236 Notice of Motion
 Amendment – Mount Pearl Development Regulations 2010

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and in accordance with Council’s public notification policy, he will, at a regular meeting of Council, move an amendment to the Mount Pearl Development Regulations 2010, that, if enacted, will:

In Section 11- Use Zone Schedules, amend the City Centre (CC) and Commercial-General (CG) use zones by adding the following condition:

Notwithstanding Section 8.20.2 of these Regulations, a Changeable Message Sign may be permitted at the discretion of Council provided that the sign application is processed pursuant to Regulation 4.17 of these Regulations.

The purpose of this proposed amendment is to provide Council with the authority to consider Changeable Message Signs within the CC and CG use zones.

13-04-237 Notice of Motion
 Amendment – Mount Pearl Development Regulations 2010

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and in accordance with Council’s public notification policy, he will, at a regular meeting of Council, move an amendment to the Mount Pearl Development Regulations 2010, that, if enacted, will:

In Section 6- General Development Standards, amend Subsection 6.26, Non-Conforming Use, by adding the following:

In subclause 6.26.2, in the first paragraph, after the words “.... or altered structurally” and before “unless such building” add the phrase “*or relocated on the lot*”; and,

In subclause 6.26.2, immediately after clause (e), add the following clause and retitle the current clause (f) to (g):

(f) where the non-conformance is with respect to the standards included in these Regulations, the building, structure, or development shall not be relocated if the relocation would increase the non-conformity; and,

The purpose of this proposed amendment is to provide Council with the discretionary authority to consider the relocation of accessory buildings that are non-conforming with the Regulations

13-04-238 Development Permits

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT development permits issued for the period of March 18 - 28, 2013 be accepted as presented.

Question called. Motion carried unanimously.

13-04-239 Building Permits

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT building permits issued for the period of March 16 - 29, 2013, showing a total construction value of \$2,245,000.00, be approved as presented.

Question called. Motion carried unanimously.

13-04-240 Notice of Motion
Amendment – Mount Pearl Development Regulations 2010

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and in accordance with Council's public notification policy, he will, at a regular meeting of Council, move an amendment to the Mount Pearl Development Regulations 2010, that, if enacted, will amend the Land Use Zoning Map as follows:

- 1. Rezone a portion of the property at 79 - 115 Mount Carson Avenue from Commercial – Local (CL) to Commercial – General (CG).**

The purpose of this proposed amendment is to provide Council with the authority to permit a four (4) storey mixed use building (with underground garage) consisting of combined residential and commercial uses on the first level, and residential condos on the above three (3) levels on a portion of the property at 79 – 115 Mount Carson Avenue.

NEW BUSINESS

13-04-241 Kenpo Championships

Councillors Stoyles and Ledwell extended congratulations to members of the Rock Athletics team that participated in the Top Ten Kenpo Championships recently held in Montreal.

13-04-242 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles commented on the strategic planning session recently held by the NEAJC and noted that the next meeting will be held on April 17 in Avondale.

13-04-243 Mount Pearl Skating Club – Annual Ice Show

Councillor Ledwell extended congratulations to all skaters, coaches, parents and volunteers involved in the Annual Ice Show.

13-04-244 Provincial Budget

Mayor Simms commented on the changes to the Municipal Operating Grants recently announced in the provincial budget. He reassured residents that these changes would not result in changes to the 2013 mil rate. He noted that discussions will now commence regarding a new fiscal arrangement between Government and the City.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:55 pm on a motion by Councillor Ledwell and seconded by Councillor Stoyles.

Chairperson

Deputy City Clerk