

PUBLIC COUNCIL MEETING MINUTES
April 5, 2011

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on April 5, 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, Director, Corporate Services
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

STAFF ABSENT

Gerard Lewis, Chief Administrative Officer

Mayor Simms chaired the meeting.

11-04-206 Adoption of Agenda

Motion – Councillor Aker/Councillor Walsh

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

11-04-207 Adoption of Minutes

Motion – Deputy Mayor Locke /Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on March 22, 2011 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

11-04-208 Cancer Awareness Month

Mayor Simms signed a proclamation declaring April 1 - 30, 2011 as Cancer Awareness Month in the City of Mount Pearl. Representatives (Al Pelley and Sarah Neil) from the Canadian Cancer Society as well as a guest of Daffodil Place were in attendance. Mr. Pelley extended appreciation to Council and residents for their support and shared information on activities planned for the month. He advised that April 27 has been designated as National Daffodil Day and asked everyone to wear a daffodil pin on that day.

11-04-209 Parkinson's Awareness Month

Mayor Simms signed a proclamation declaring April 1 - 30, 2011 as Parkinson's Awareness Month in the City of Mount Pearl. Mayor Simms welcomed Alice Lake, a Mount Pearl resident, to the Chamber. Mrs. Lake shared information on Parkinson's disease.

11-04-210 Census Week

Mayor Simms signed a proclamation declaring May 9 – 13, 2011 as Census Week in the City of Mount Pearl.

CORRESPONDENCE

11-04-211 Canadian Red Cross

Correspondence was presented from the Canadian Red Cross providing an update on their response to the recent earthquake and tsunami in Japan.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

11-04-212 Tender for Turf Maintenance Material TP # 11-007

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the tender for the supply and delivery of turf maintenance material (fertilizer and lime) be awarded to the lowest qualified bidder, Gaze Seed Co. Limited, for the tendered price of \$22,099.50.

Question called. Motion carried unanimously.

11-04-213 Tender for Ornamental Nursery Stock (Trees and Shrubs) TP # 11-008

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the tender for the supply and delivery of ornamental nursery stock (trees and shrubs) be awarded to the lowest qualified bidder, Gaze Seed Co. Limited, for the tendered price of \$10,863.82.

Question called. Motion carried unanimously.

11-04-214 Tender for Playground Equipment TP# 11-009

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the tender for the supply and delivery of playground equipment be awarded to the lowest qualified bidder, Henderson Recreation, for the tendered price of \$59,212.00.

Discussion: It should be noted that this is over the amount budgeted by approximately \$7,000.00.

Question called. Motion carried unanimously.

COMMUNITY SERVICES COMMITTEE

11-04-215 Mount Pearl Marlins – Swim Meet Congratulations

Congratulations were extended to the Marlins Swim Team on a great meet at Short Course Provincial Champs recently held in Deer Lake.

11-04-216 Mount Pearl Senior's Independence Group
50+ Age Community
Annual Fitness Subsidy

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to release a subsidy in the amount of \$5,000 to the Seniors Independence Group, 50+ Age Community, to cover the Fitness Program for 2011.

Question called. Motion carried unanimously.

11-04-217 Focus on Youth Awards
May 18, 2011

Council was advised that there have been 89 nominations received for the Focus on Youth Awards being held on May 18, 2011. The public speaking portion of the Male and Female Youth of the Year selection process will take place on April 20 in the Council Chambers starting at 7:30 pm.

CORPORATE SERVICES COMMITTEE

11-04-218 Request for Tax Consideration

Motion – Councillor Tessier/Councillor Stoyles

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

Name	Address	Type	Annual
The Salvation Army	18 Senate Cres	Property (100%)	\$1,398.60
Knights of Columbus	7 Greenwood Cres	Business (100%)	\$4,730.20
		Property (100%)	\$3,530.00

Question called. Motion carried unanimously.

11-04-219 Tax Deferral – Low Income Earner
Roll # 3345983-1-0380-000

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to defer taxes in the amount of \$1,320.09, for roll # 3345983-1-0380-000, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

11-04-220 Invoices for Council Approval

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Avalon Coal Salt and Oil Limited (Road Salt)	\$ 23,239.78
2.	Imprint Specialty Promotions Limited (Recycling Magnets)	\$ 8,437.77
3.	Hitech Communications Limited (Purchase of Radios and Associated Costs)	\$ 20,876.28
4.	Hitech Communications Limited (Supply & Installation Digital Mobile Radio System)	\$ 118,015.84
5.	Drive Line Machine Shop (Repairs to Loader Shafts)	\$ 5,844.40
6.	Magna Contracting & Management Limited (CP2 Interior Fit Up - Progress Invoice No. 11)	\$ 220,943.52
7.	Weir's Construction (CP1 Mount Carson Upgrade - Claim No. 2)	\$ 521,225.73
8.	Bae Newplan Group Limited (Pearlgate Recreation Centre - Invoice 13636)	\$ 622,036.75
9.	Lighting & Traffic Systems (Traffic Lights-Bruce/Glencoe & Thomas Byrne/Topsail Rd)	\$ 73,887.67
10.	Bae Newplan Group Limited (2010 Bridge Inspections - Invoice 13532)	\$ 5,090.97
11.	Weir's Construction (2008 Street Upgrading Park Ave - Claim No. 14)	\$ 505,981.95
12.	Western Hydraulic 2000 Limited (Left and Right Pusharms)	\$ 5,650.00
13.	Sea-Force Diving Limited (2011 Street Upgrading - Pipe Inspection Services)	\$ 8,041.65
14.	Pardy's Waste Management & Industrial Services (Clean-up Oil Spill - Lady Anne Place)	\$ 5,318.12
	Total	\$ 2,144,590.43

Question called. Motion carried unanimously.

11-04-221 Uncollectible Accounts
Tax Write Off

Motion – Councillor Tessier/Councillor Stoyles

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

Name	Principal	Interest	Other	Total
Aquarium Fanatics	\$3,464.24	\$360.81	\$ 95.00	\$ 3,920.05

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

Question called. Motion carried unanimously.

11-04-222 Goods and Services Tax/ Harmonized Sales Tax (GST/HST) Audit

Council was advised that the audit of the GST/HST returns for the period from 2009/01/01 to 2010/10/31 has been completed and there were no significant errors found and there will be no reassessment on our returns.

11-04-223 Annual Expenditure Report – Gas Tax Agreement

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the 2010 Annual Expenditures and Outcomes Report for year ended December 31, 2010, as audited by Harris Ryan Chartered Accountants, be approved.

Question called. Motion carried unanimously.

11-04-224 Pension Plan Participation Agreement

Council was advised that a new Pension Plan Participation Agreement is required between the City and TRIO, the City's pension plan administrators. The agreement does not create new obligations or liabilities for the City or Board; it simply captures the rights and responsibilities that currently exist and records them in one place.

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted for the Mayor and Chief Administrative Officer to execute an agreement between the City and TRIO.

Question called. Motion carried unanimously.

11-04-225 Appointments

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to appoint Scott Lush to the position of Director of Infrastructure and Public Works, Brian Chmarney to the position of Director of Community Services and Michele Peach to the position of Chief Administrator Officer.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

No report.

ENGINEERING COMMITTEE

11-04-226 Glacier Arena Expansion – Foundations and Building Envelope (CP1)
Change Order #7 (Credit)

Council was advised of change order document #7 for the Glacier arena expansion project, (CP1). It was noted that this is a credit in the amount of \$107,300.84 and is related to work to be incorporated with the development of the Multiplex.

11-04-227 Glacier Arena Expansion (Interior Fit-up) CP2
Change Order #8

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT change order #8, in the amount of \$10,179.27, for the Glacier Arena Expansion Interior Fit-up project, (CP2) be approved.

Question called. Motion carried unanimously.

11-04-228 Glacier Arena Expansion (Interior Fit-up) CP2
Change Order #9

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT change order #9, in the amount of \$12,792.10, for the Glacier Arena Expansion Interior Fit-up project, (CP2) be approved.

Question called. Motion carried unanimously.

11-04-229 Tender - Line Painting (Street Markings)

Motion - Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for line painting (street markings) be awarded to the low bidder, Clearway Contracting Limited.

Discussion: It was noted that the low bid (\$205,011.38) exceeds the project budget of \$120,000. The increase relates to the COR requirements, traffic plan requirements, quality standards and incorporation of a glass bead coating in the painting process. As a result, the scope of work will be modified to reflect a reduction in quantities and as a result, the cost will be reduced to \$142,614.00. Further consideration will be given to budget allocations to cover the increase. Council was further advised that the Engineering Committee will be considering a pilot project using thermo plastic (not paint); however, the disadvantage to this is the high cost. In the meantime, variations to the paint are being undertaken that will hopefully make the lines last a little longer. The importance of lines at higher volume intersections was noted.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

11-04-230 Order to Cease and Desist
Reefer Repair Services
172-180 Glencoe 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 Reefer Repair Services to not occupy the premises until such time as an Occupancy Permit is issued.

Question called. Motion carried unanimously.

11-04-231 Referral from Town of Conception Bay South
Proposed St. John's Urban Region Regional Plan Amendment No. 6, 2011
Proposed Conception Bay South Municipal Plan Amendment No. 33, 2011
Proposed Conception Bay South Development Regulations Amendment
No. 39, 2011

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT a response be forwarded to the letter of referral from the Town of Conception Bay South advising that Council has no objections to the proposed St. John's Urban Region Regional Plan Amendment No. 6,

2011, the proposed Conception Bay South Municipal Plan Amendment No. 33, 2011, or the proposed Conception Bay South Development Regulations Amendment No. 39, 2011.

Question called. Motion carried unanimously.

11-04-232 Mount Carson Terrace Development – Phase 5
Revised Subdivision Development Agreement

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the revised Subdivision Development Agreement for Mount Carson Terrace Phase 5 be approved for signing and execution by the Mayor and Chief Administrative Officer.

Question called. Motion carried unanimously.

11-04-233 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of March 19, 2011 to April 1, 2011, showing a total construction value of \$1,285,500.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

11-04-234 Retirement – CAO

Councillor Tessier acknowledged Gerard Lewis on his upcoming retirement and thanked him for his years of service to the City of Mount Pearl.

11-04-235 Appointment – CAO

Councillor Tessier welcomed Michele Peach as the new CAO and extended congratulations.

11-04-236 On-Street Parking

Councillor Tessier advised that the on-street parking ban was lifted as of April 1, however, noted that vehicles are not permitted to park on the street during a snow storm or 12 hours thereafter.

11-04-237 Kraft Hockeyville

Deputy Mayor Locke extended congratulations to the Town Council of Conception Bay South and the Organizing Committee for being named the Kraft Hockeyville for 2011. A letter of congratulations will be forwarded from the Mayor's office.

11-04-238 Mayor Dennis O'Keefe

Deputy Mayor Locke, on behalf of Council, extended well wishes to Mayor O'Keefe and his family.

11-04-239 Smallwood Drive – Utility Poles

Deputy Mayor Locke commented on the tilt of the utility poles located on the upper section of Smallwood Drive, noting that he has spoken with the Director of Infrastructure & Public Works to ensure they are stable.

11-04-240 Mount Pearl Skating Club

Councillor Stoyles extended congratulations to the members of the Mount Pearl Skating Club on a great show.

11-04-241 Condolences – Hubert Noseworthy

Councillor Stoyles extended condolences to the family of the late Hubert Noseworthy, noting that Mr. Noseworthy had been a great volunteer in the City of Mount Pearl. A letter of condolence will be forwarded from the Mayor's office.

11-04-242 Covering – Household Garbage

Councillor Stoyles reminded residents that household garbage was to be covered as of April 1. Discussion ensued on ways to communicate this message effectively to residents given the high number of residents with uncovered garbage. Referred to Public Works Committee for consideration.

11-04-243 Volunteer Week and Citizen of the Year

Councillor Stoyles advised that the Citizen of the Year dinner will be held on April 9. She extended appreciation to all volunteers who put so much time into our community.

11-04-244 Household Garbage – Placed to the Curb Prior to 6:00 AM

Councillor Walsh commented on the notices issued to residents for placing their household garbage to the curb prior to 6:00 am on their day of collection. It was noted that the snowclearing crew issued these notices, and it was requested the municipal enforcement officers continue to monitor for these violations and issue notices as required.

11-04-245 Traffic Lights

In response to Councillor Walsh, it was noted that the traffic lights at Glencoe/Bruce (Donovans Business Park) will be activated on Thursday, April 07, 2011.

11-04-246 Satellite Ambulance Service

Councillor Walsh noted that Eastern Health has opened a satellite ambulance service on Topsail Road which should result in improved response times for Mount Pearl and the western region.

11-04-247 Sport Alliance – AGM

Councillor Walsh advised that the Sport Alliance will be holding their AGM on Thursday, April 07, 2011 and encouraged representation from all sporting groups. He advised that none of the existing members of the executive are running and invited others to come forward and fill the positions.

11-04-248 Youth Provincial Bowling Team

Councillor Walsh extended congratulations to the Youth Provincial Bowling Team and Coach Jim Bulger on their results at the recent provincial tournament. He made particular reference to Adam Pope for bowling very well.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:15 pm on a motion by Councillor Aker and seconded by Councillor Stoyles.

Chairperson

Deputy City Clerk