



PUBLIC COUNCIL MEETING MINUTES
April 6, 2010

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on April 6, 2010 at 4:15 pm.

MEMBERS PRESENT

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

STAFF PRESENT

Gerard Lewis, CAO
Michele Peach, Director, Corporate Services
Stephen Jewczyk, Director, Planning & Development
Scott Lush, Director, Infrastructure & Public Works
Mona Lewis, Deputy City Clerk

The Director of Community Services was absent.

Mayor Simms chaired the meeting.

10-04-236 Adoption of Agenda

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-04-237 Adoption of Minutes

Motion – Councillor Tessier/Councillor Lane

RESOLVED THAT the minutes of the public meeting held on March 23, 2010 be adopted as presented

Errors & Omissions: With reference to minute 10-03-193 (tender – diesel powered lawn mower), it was noted that Council also requested that the Public Works Committee review the implementation of a policy that considers green initiatives for all types of equipment.

Question called. Motion carried unanimously.

BUSINESS ARISING

10-04-238 Ramp from Outer Ring Road – Kenmount Road/McNamara Drive

Council was advised that the above noted intersection falls within the jurisdiction of the Town of Paradise. It was requested that the Director of Infrastructure & Public Works seek clarification from the Town as to their plan to improve traffic flow at this intersection.

10-04-239 Household Hazardous Waste (HHW)
Eastern Waste Management (EWM)

Council was advised that information is being sought from the City of St. John's with respect to Mount Pearl providing its residents with a local satellite bi-annual HHW service. It was also noted that a letter has been drafted to the Multi-Materials Stewardship Board with respect to the continuance of a subsidy for this service.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

10-04-240 Parkinson's Awareness Month

Mayor Simms signed a proclamation declaring April as Parkinson's Awareness Month in the City of Mount Pearl.

10-04-241 Volunteer Week

Mayor Simms signed a proclamation declaring the period of April 18 – 24, 2010 as "Volunteer Week" in the City of Mount Pearl. Representatives of the Volunteer Week Committee were welcomed. Mr. Jim Burton, Honorary Chairperson, commented on the value of volunteers to the community and extended appreciation to all.

CORRESPONDENCE

10-04-242 Municipalities Newfoundland & Labrador (MNL)

A copy of a letter from MNL to the Honourable Jerome Kennedy, Minister of Health & Community Services, was presented. MNL provided the Minister with a copy of the City's resolution to "ban the cosmetic use of pesticides" in the Province that had been adopted during their Annual General Meeting.

10-04-243 M.H.A. Steve Kent

A letter was presented from Mr. Kent advising that he presented a congratulatory message to the Frosty Festival Committee and the City during a Member Statement (March 23, 2010).

10-04-244 Office of the Minister – Department of Natural Resources

A letter was presented from the Honourable Kathy Dunderdale acknowledging the City's letter regarding the Animal Health & Protection Act. The Minister advised that a new Act will be tabled during the spring session of the House of Assembly.

COMMITTEE REPORTS

PLANNING & LAND USE DEVELOPMENT COMMITTEE

It was noted that Councillor Aker is employed with NLHC and therefore in a conflict on this issue.

10-04-245 Newfoundland and Labrador Housing Corporation (NLHC)
Reconfiguration of Semi-Detached Building
5 Spruce Avenue

Motion – Deputy Mayor Locke/Councillor Tessier

RESOLVED THAT the rezoning application not be supported at this time and the application to remodel one the units on Spruce Avenue be refused as the proposal is not a permitted use in the RMD use zone.

Discussion: Council was advised that NLHC has withdrawn their application.

Members of Council noted that the initial application from NLHC was refused; however, NLHC requested the matter proceed through the public consultation process. Residents were provided the opportunity to present their input, and as a result, Council listened to their concerns and abided by their wishes. It was noted that although Council didn't support this application in this particular location, they acknowledged the mandate of NLHC and will continue to support their initiatives in the City of Mount Pearl. NLHC clients were also encouraged to approach NLHC should they be in need of assistance. Council referenced items raised by the residents with respect to problems associated with the wooded area, condition of units, sidewalks, and the neighborhood playground will be addressed by the applicable City Departments. Residents were assured that the City will make every effort to ensure NLHC carries through on their responsibility to maintain the existing units in the area. Reference was also made to

Council's initiative associated with housing for seniors as well as subsidized housing – noting that the matter is under active review.

Question called. Motion carried unanimously with Councillor Aker abstaining from voting due to a conflict of interest.

10-04-246 Notice of Motion
Amendment – Mount Pearl Development Regulations 1988

Deputy Mayor Locke 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 1988 that, if enacted, will amend Schedule "E", land use zoning map by rezoning land within the boundaries of the Simcoe Drive Amendment Area from Residential Medium Density (RMD) to Residential Single Unit Detached 3 (RSU-3).

The intention of this amendment is to provide Council with the regulatory framework to consider development proposals for dwellings of a smaller frontage along Simcoe Drive.

Those lands not being re-zoned shall maintain their present zoning.

10-04-247 Mount Carson Terrace – Phase 5A
Subdivision Development Agreement

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the Mayor and Chief Administrative Officer to sign the Mount Carson Terrace Phase 5A Subdivision Development Agreement on behalf of the City Council of Mount Pearl.

Question called. Motion carried unanimously.

10-04-248 Development Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT development permits issued for the period of March 20 – April 1, 2010 be approved as presented.

Question called. Motion carried unanimously.

10-04-249 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of March 20 – April 1, 2010, showing a total construction value of \$2,092,000.00, be approved as presented.

Question called. Motion carried unanimously.

PUBLIC WORKS COMMITTEE

10-04-250 Tender – Traffic Calmer

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT approval be granted to award the tender for the supply and delivery of one electronic sign and radar speed monitor to the lowest, qualified bidder, United Rentals, at a cost of \$20,641.71.

Discussion: Council spoke on the effectiveness of the signs in addressing speeding in various areas of the City. It was noted that this sign is similar to the existing sign with the exception of improved solar capability. Councillor Stoyles referenced a media report on other devices that provide similar information.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

10-04-251 Tender – Team Gushue Soccer Field (CP3)
Scoreboard Foundations & Structural Steel

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT approval be granted to award the Team Gushue Soccer Field (CP3) Scoreboard Foundations & Structural Steel Project to the low bidder, Fasco Industries, for the bid amount of \$4,950.00 (plus HST).

Question called. Motion carried unanimously.

COMMUNITY SERVICES COMMITTEE

10-04-252 Athletics Northeast/NL Athletics Association

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT a request from the running club, Athletics Northeast, in association with the Newfoundland & Labrador Athletics Association, to hold a half marathon (21.1km) road running event on May 23, 2010 be approved subject to meeting all requirements, regulations and providing a certificate of insurance.

Discussion: It was noted that the event would commence at 7:30 am at Olympic Drive running through Donovan's Business Park and finishing at the Soccer Hut on Smallwood Drive.

Question called. Motion carried unanimously.

10-04-253 Quotation – Carpet, Admiralty House

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT approval be granted to award the quotation for the supply and installation of carpet for Admiralty House to the lowest bidder, Baker Flooring, at a cost of \$6,325.00(plus tax).

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

10-04-254 Requests for Tax Consideration

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to exempt 2010 business taxes in accordance with Council's policy for charitable and non-profit organizations as follows:

Name	Address	Type	Annual Amt
The Salvation Army	18 Senate Cres	Property (100%)	\$1,398.60
Co-operative Housing Assoc	75 Barbour Dr	Business (100%)	\$ 377.65
Canadian Hard of Hearing – NL	1081 Topsail Rd	Business (100%)	\$ 7,264.48

Question called. Motion carried unanimously.

10-04-255 Invoices for Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Bae Newplan (2010 Street Upgrading)	\$	169,839.70
2.	Bae Newplan (2009 Street Upgrading)	\$	11,424.73
3.	Eastern School District (Paving Morris Academy Sports Field Parking Lot)	\$	30,000.00
4.	Lighting & Traffic Systems Ltd. (Repairs to Traffic Lights)	\$	5,962.40
5.	Newfoundland HVAC Limited (Install Heat Exchanger & Control Valve - Pool)	\$	12,204.00
6.	Nortrax (Inventory)	\$	13,724.93
7.	Stantec (2009 Street Upgrading)	\$	8,320.51
8.	Pyramid Construction (Corisande Drive Traffic Lights)	\$	56,655.24
	Total	\$	308,131.51

Question called. Motion carried unanimously.

10-04-256 Atlantic Mayors Congress

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted for Councillor Stoyles to attend meetings of the Atlantic Mayors Congress being held in Halifax from April 14 – 16, 2010.

Question called. Motion carried unanimously.

10-04-257 Municipal Symposium

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Mayor Simms to attend the Municipal Symposium being held in Gander from April 29 – May 1, 2010.

Discussion: It was noted that through an initiative provided by the Department of Municipal Affairs, a \$250 subsidy is provided to councillors, to a maximum of two per municipality, attending the Symposium.

Question called. Motion carried unanimously.

10-04-258 Donation – Mount Pearl Intermediate Volleyball Team

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$200 donation in support of the seven (7) Mount Pearl members of the Mount Pearl Intermediate School grade nine volleyball team who will be attending a national volleyball tournament in Sherbrooke, Quebec from May 6 – 10, 2010.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

10-04-259 Houston Oil Show – May 3 - 6, 2010
Council and Staff Attendance

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT approval be granted for Deputy Mayor Jim Locke, Member of the Economic Development, Communication, and Tourism Committee and Stephen Jewczyk, Director of Planning and Development, to attend the Offshore Technology Conference being held in Houston on May 3 - 6, 2010.

Question called. Motion carried unanimously.

10-04-260 2009 Community Review
Content, Design and Printing

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT approval be granted to proceed with the printing of 10,000 copies of the Community Review by the company that submitted the lowest quote, Impress Print Solutions, in the amount of \$6,817.12 plus HST.

Question called. Motion carried unanimously.

10-04-261 2010 Community Profile

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT approval be granted to proceed with the printing of 500 copies of the 2010 Community Profile by the company that submitted the lowest quote, Impress Print Solutions (British Group of Companies), in the amount of \$5,338.14, plus HST.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

10-04-262 Replacement/Installation of Traffic Poles and Arms
Park Avenue/Commonwealth Avenue/Ruth Avenue

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to pay the amount of \$36,883.20 (HST included) to Lighting and Traffic Systems Limited for the supply and installation of traffic poles and arms for the Park Avenue/Commonwealth Avenue/Ruth Avenue intersection.

Question called. Motion carried unanimously.

10-04-263 Glacier Arena Expansion (CP1)
Foundations and Building Envelope
Change order #5

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT Change Order #5, in the amount of \$6,072.00 (HST excluded), for the Glacier Expansion (CP-1) Foundations and Building Envelope project be approved.

Discussion: Council was advised that a financial update on this project will be provided. It was noted that this change order is part of the contingency funding.

Question called. Motion carried unanimously.

NEW BUSINESS

10-04-264 Highway Signage

Councillor Walsh advised of a resident's complaint regarding the lack of directional highway signage. He noted that the issue had been previously

raised and requested staff investigate its status. He also made reference to the dilapidated condition of the property at the top of the Ruth Avenue Overpass (area to the water tower). The Director of Infrastructure & Public Works advised that the Provincial Government has plans to upgrade ramps. Councillor Aker advised that the land is owned by NLHC and it will eventually be developed to access Southlands in addition to a portion of it being zoned "cemetery" use. It was requested that the applicable agency responsible for this property be requested to clean up the area as well as clarifying the timing and plans for any roadwork in this area.

10-04-265 Spring Clean-Up – Open Spaces

Councillor Stoyles commented on the amount of garbage evident in the trails and open space areas. It was noted that as in other years, City crews will be clean up these areas in addition to the clean up organized by the Community Services Department whereby residents, businesses and schools are invited to participate.

10-04-266 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the NEAJC will be meeting on April 21 in the Town of Paradise. Minister Dianne Whalen will be the guest speaker.

10-04-267 Intersection – Old Placentia Road/Smallwood Drive

Deputy Mayor Locke raised an issue of sight impairment when vehicles are turning left onto Smallwood Drive from Old Placentia Road. Matter referred to the Director of Infrastructure & Public Works for review.

10-04-268 Pedestrians

Deputy Mayor Locke reminded drivers to be aware of an increased number of pedestrians as a result of the Easter school break.

10-04-269 Centennial Square

Councillor Lane noted that some of the amenities of Centennial Square are requiring maintenance and requested staff to investigate the matter.

10-04-270 Roaming Cats

Councillor Lane reminded residents that in accordance with the Animal Control Regulations, cats are not allowed to roam.

10-04-271 Animal Health & Protection Act

Councillor Tessier urged the Provincial Government, when making changes to the Animal Health & Protection Act, to include harsher penalties (fines) that would act as a deterrent and preventative measure.

10-04-272 Debris – Flyers

Councillor Tessier noted that amount of debris that accumulates on Old Placentia Road opposite the Pearlgate Shopping area. She spoke of a previous suggestion to consult with the store managers regarding suggestions to deal with flyers left in the shopping carts. It was requested that staff pursue the status of this suggestion.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:35 pm on a motion by Councillor Stoyles and seconded by Councillor Walsh.

Chairperson

Deputy City Clerk