

PUBLIC COUNCIL MEETING MINUTES
August 21, 2012

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on August 21, 2012 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
Jason Collins, Director of Community Services
Tina O’Dea, Manager, Engineering Services
Gail Sexton, Human Resources Assistant

MEMBERS ABSENT

Councillor Andrew Ledwell

STAFF ABSENT

Stephen Jewczyk, Director, Planning & Development
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Mona Lewis, Deputy City Clerk

Mayor Simms chaired the meeting.

12-08-576 Adoption of Agenda

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-08-577 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on August 7, 2012 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

None noted.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

12-08-578 Automated Garbage Collection Project

An update was provided on the automated garbage collection project as follows:

- i) Phases 1A and 1B are being monitored.
- ii) Tender for remaining carts has been awarded with the delivery of carts to start in September 2012 and be completed by end of October 2012.
- iii) In process of delivering a “cart buddy system” to enable residents to assist their neighbours with cart maneuvering or seek assistance themselves.
- iv) Communication strategy will include:
 - Website
 - Mount Pearl Matters (The Telegram)
 - Door Knockers
 - Digital signs (traffic calmer messages)
 - Physical sign boards (approximately 8 locations)
 - Various public service announcements
 - Twitter
 - Magnets

Councillor Walsh advised that the project is going well and is on schedule and budget.

A question was raised on the recycling program and whether there was information or report on the success of the program. It was recommended that

this issue be referred to the Infrastructure and Public Works Committee for further discussion and subsequent report.

COMMUNITY SERVICES COMMITTEE REPORT

12-08-579 Admiralty House
 2nd Installment Operating Grant

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted to issue the second and final installment of the 2012 operating grant, in the amount of \$20,250, to Admiralty House Museum and Archives.

Question called. Motion carried unanimously.

12-08-580 Athletic Business Conference & Expo 2012
 November 28 – December 1, 2012
 Professional Development & Training – Director Community Services

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted for the Director of Community Services to attend the Athletic Business Conference and Expo 2012 in New Orleans, Louisiana, November 28 - December 1, 2012.

Question called. Motion carried unanimously.

12-08-581 Community Services Department
 Note of Appreciation – City Days

Council was advised of a note received from Atlantic Lottery, a major sponsor of City Days, expressing appreciation to the City Days Committee on a job well done. Council also extended appreciation to the Committee for their dedication and hard work to make this a successful annual event.

12-08-582 Roman Catholic Archdiocese of St. John's
 (Traffic Control – Holy Sepulchre Cemetery Mass)

Council was advised of a letter received from the Roman Catholic Archdiocese of St. John's extending appreciation to the Municipal Enforcement Officers for their assistance in maintaining traffic control and safety during the Holy Sepulchre Cemetery Mass held in July.

12-08-583 Pearlgate Track and Field

Council advised that the line painting for the Pearlgate Track and Field is completed.

12-08-584 Basketball Courts
Ruth Avenue

Council advised that the upgrading of the basketball courts on Ruth Avenue is completed and residents were encouraged to use the courts.

CORPORATE SERVICES COMMITTEE REPORT

12-08-585 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

| | | | |
|-----|--|----|------------|
| 1. | Bae-Newplan Group (Professional Fees - Team Gushue Recreation Complex) | \$ | 18,532.00 |
| 2. | BNR Distribution & Transmission Ltd (Install Poles - Team Gushue Complex Softball Field) | \$ | 19,482.58 |
| 3. | Cimco Refrigeration (Glacier Arena CP4 - Progress Pmt #7) | \$ | 56,500.00 |
| 4. | City of St. John's (Landfill Usage July 2012) | \$ | 43,642.36 |
| 5. | Eastern Waste Management (Household Hazardous Waste Day Cost) | \$ | 12,120.00 |
| 6. | Hatch Mott MacDonald Ltd (Ruth Ave School District Traffic Study) | \$ | 18,712.80 |
| 7. | North Atlantic Marine Supplies & Services Inc. (Netting for Team Gushue Complex Softball Field) | \$ | 13,424.40 |
| 8. | Saunders Equipment Ltd. (Household Waste Carts) | \$ | 41,810.00 |
| 9. | Saunders Equipment Ltd. (Retrofit Truck 730 for Automated Garbage System) | \$ | 88,309.50 |
| 10. | Saunders Equipment Ltd. (Retrofit Truck 728 for Automated Garbage System) | \$ | 79,527.14 |
| 11. | Saunders Equipment Ltd. (Retrofit Truck 727 for Automated Garbage System) | \$ | 90,253.10 |
| 12. | Saunders Equipment Ltd. (Retrofit Truck 729 for Automated Garbage System) | \$ | 84,038.10 |
| 13. | Stanley Flowers Limited (Supply, Plant & Maintain Flowers -19 Additional Planters) | \$ | 7,017.30 |
| | Total | \$ | 573,369.28 |

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

No report presented.

ENGINEERING SERVICES COMMITTEE

No report presented.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

12-08-586 Application for Single Family Dwelling
Land Adjoining 30 Forest Avenue

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT an application to develop a single dwelling unit for land adjoining 30 Forest Avenue be refused for the following reasons:

1. The lot is of insufficient depth to accommodate a single dwelling in the RMD Use Zone of the Mount Pearl Development Regulations;
2. The development cannot meet the minimum building setback of 7.5 m of the Residential Medium Density (RMD) Use Zone of the Mount Pearl Development Regulations; and
3. The development cannot meet the minimum rear yard depth of 8m of the Residential Medium Density (RMD) Use Zone of the Mount Pearl Development Regulations.

Question called. Motion carried unanimously.

12-08-587 Mount Pearl Mapping
Geography Textbook – “Encounter Canada”

Council was advised of a new (high school) Geography textbook called “Encounter Canada” featuring mapping of the City of Mount Pearl. Appreciation was extended to Harold Fleet, Cartographic Technician, for his contribution to this publication. It was suggested that the Chief Administrative Officer forward congratulations to Mr. Fleet on a job well done.

12-08-588 Notice of Motion
Amendment - Open Air Burning Regulations

Councillor Aker 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 text of the City of Mount Pearl Open Air Burning Regulations that, if enacted, will:

In Section 2, add the following definitions in alphabetical sequence in the existing list of definitions:

“Aerial fireworks” means high hazard fireworks as described in Class 7, Division 2 Subdivision 2 of the Explosives Regulations under the Explosives Act (Canada);

“Family fireworks” means low hazard fireworks for recreation commonly referred to as consumer fireworks and as described in Class 7, Division 2 Subdivision 1 of the Explosives Regulations under the Explosives Act(Canada);

“Fireworks” means fireworks as classified in the Explosives Regulations under the Explosives Act (Canada) and includes

- (i) Family fireworks,*
- (ii) Aerial fireworks, and*
- (iii) Pyrotechnics;*

“Pyrotechnics” means theatrical explosives as described in Class 7, Division 2 Subdivision 5 of the Explosives Regulations under the Explosives Act (Canada);

In Section 2(l), amend the definition of “open air fire” by adding to the end of the existing definition “...and includes fireworks.”

Immediately after Section 5, add the following section and re-number the remaining sections in sequential order:

6. *Fireworks*

- (1) The selling, display and discharging of fireworks shall comply with the Fire Protection Services Regulations under the Fire Protection Services Act (Newfoundland and Labrador);*
- (2) Aerial fireworks and pyrotechnics are not subject to Section 5 of these Regulations but shall be submitted to the Fire Commissioner or Fire Chief of the St. John’s Regional Fire Department pursuant to the Fire Protection Services Regulations under the Fire Protection Services Act (Newfoundland and Labrador);*
- (3) Notwithstanding Section 5, family fireworks shall be permitted to be discharged from dusk to 11:00 pm on the statutory holiday known as Canada Day and on the day commonly referred to as New Year’s Eve, December 31, without application to the Chief Administrative Officer. The discharge of family fireworks on all other days of the year shall be in accordance with Section 5 of these Regulations.*

The purpose of the proposed amendment is to regulate the use of family fireworks.

12-08-589 Notice of Motion
Amendment - Mount Pearl Development Regulations
Designated Mobility Impaired Parking Spaces

Councillor Aker 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:

In Section 2- Definitions, amend by adding the following definition in alphabetical sequence in the existing list of definitions:

"Designated Mobility Impaired Parking Space" means a parking space designated for motor vehicles used by persons with a mobility impairment."

In Section 9 – Off-Street Parking and Loading Regulations, amend by adding the following section after Section 9.3 and renumber the remaining sections in sequential order:

9.4 Designated Mobility Impaired Parking Spaces

For any development where parking spaces for person with disabilities are required pursuant to the Building Accessibilities Regulations under the Building Accessibility Act (Newfoundland and Labrador), such spaces shall be provided on the basis of one (1) parking space per lot or four percent (4%) of the total number of required parking spaces provided on the lot, whichever is greater, and such parking space or spaces shall be designated and marked in accordance with the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act (Newfoundland and Labrador).

The purpose of the proposed amendment is to clarify the requirement for designated mobility impaired parking spaces.

12-08-590 Notice of Motion
1281-1283 Topsail Road

Councillor Aker gave notice that in accordance with the City of Mount Pearl Act, 1988 and/or the Urban and Rural Planning Act 2000, he will, at a regular meeting of Council, move a recommendation to issue an Order that, if enacted, will:

1. Require the property owner of 1281-1283 Topsail Road, BRS Holdings, to remove machinery from the landscaped front yard of the property.

The purpose of the proposed Order is to provide Council with the authority to enforce the removal of the machinery from the landscaped front yard of the property.

12-08-591 Development Permit List

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT the development permit list for the period of August 6 -17, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-08-592 Building Permits

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT building permits issued for the period of August 4 – 17, 2012, showing a total construction value of \$1,747,500 be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

12-08-593 Girls Under 12 – Minor Soccer

Councillor Tessier advised that Mount Pearl Girls Under 12 won the gold medal in the Minor Soccer Tournament this past weekend.

12-08-594 Fame Mural Jam

Council expressed their pleasure with the success of the recent “Aim is Fame Mural Jam” that took place on Saturday, August 11, with over 35 young artists displaying their creative works of art at the construction site of the new Pearlgate Multiplex on Old Placentia Road. Council advised that more walls will be available in the near future and if more artists are interested in displaying their artwork, they should contact Garry Fraser at the Reid Centre. Appreciation was extended to two of the sponsors of the event, The Paint Shop and Acklands-Grainger.

12-08-595 Arts in Park

Councillor Tessier advised that the final event of the Arts in the Park took place last night. The events were entertaining and were enjoyed by all who attended. It was noted that because of unfavourable weather last week, the event was moved inside. Congratulations were extended to the Arts Association of Mount Pearl for the successful events.

12-08-596 Condolences

Councillor Stoyles extended condolences to the family of long-term resident, Elizabeth Froude, who passed away a couple of weeks ago.

Councillor Stoyles also extended condolences to Mr. Ern Simms, Mayor of St. Anthony, and his family on the passing of his son.

12-08-597 Street Work – Babb Crescent

Councillor Walsh advised of concerns expressed by a property owner on Babb Crescent regarding recent upgrading on their street. They advised that they had a new driveway installed and were concerned that the workers would damage it. However, Infrastructure and Public Works crew noted that the curb and gutter was in good shape in front of their driveway and then bypassed it.

It was suggested that the City be proactive in cases like this and have notices sent to residents far in advance when work is scheduled on their streets so situations like this can be avoided in the future.

ADJOURNMENT

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

Chairperson

Human Resources Assistant