

## **PUBLIC COUNCIL MEETING MINUTES**

**August 23, 2011**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on August 23, 2011 at 4:15 pm.

### MEMBERS PRESENT

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

### STAFF PRESENT

Michele Peach, Chief Administrative Officer  
Brian Chmarney, Director, Community Services  
Scott Lush, Director, Infrastructure & Public Works  
Stephen Jewczyk, Director of Planning & Dev.  
Jason Siliver, Director, Corporate Services  
Gail Sexton, Human Resources Assistant

### MEMBERS ABSENT

Councillor Paula Tessier

### STAFF ABSENT

### **Mayor Simms chaired the meeting.**

11-08-561     Adoption of Agenda

Motion – Councillor Lane/Councillor Aker

RESOLVED THAT the agenda be adopted as presented with two items added.

Question called. Motion carried unanimously.

11-08-562     Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Lane

RESOLVED THAT the minutes of the public meeting held on August 9, 2011 be adopted as presented.

### Errors & Omissions:

It was noted that reference to the contact person from the Brain Injury Association in Minute #11-08-548 will be revised to read “Jeannette Holman Price”.

Question called. Motion carried unanimously.

BUSINESS ARISING

11-08-563     Construction on Park Avenue/Smallwood

Councillor Walsh questioned the lighting requirements for construction sites. The Director of Infrastructure & Public Works checked on the provincial requirements for night time. Mr. Lush advised that they do not use any form of lighting anymore. Councillor Walsh expressed that it can potentially be very dangerous especially in the night time where there is inadequate lighting around the construction area. He questioned if there was something else that can be used (i.e. reflectors) that could warn motorists and pedestrians of the ongoing construction, and in particular, around raised manholes.

11-08-564     Hedge on Bannister Street/Churchill Avenue

Councillor Stoyles advised that she noticed that the hedge on Bannister Street/Churchill Avenue has been trimmed and that it should be the owner's responsibility to keep it trimmed on a regular basis. It was also noted that the hearing date for this appeal has been set on this matter.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

No report.

COMMUNITY SERVICES COMMITTEE

No report.

CORPORATE SERVICES COMMITTEE

11-08-565 Invoices for Council Approval

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	R.W. Parrott Signs Limited (Supply/Install Advertising Signage - Glacier)	\$ 22,600.00
2.	Lighting & Traffic Systems Ltd. (Traffic Signal Upgrade - Old Placentia @ Richard Nolan)	\$ 14,195.63
3.	Lighting & Traffic Systems Ltd. (Traffic Signal Upgrade - Old Placentia @ Smallwood)	\$ 15,051.60
4.	Newfoundland HVAC Limited (Supply/Install Gas Detection Systems)	\$ 9,559.80
5.	Butler's Sand & Stone Co. Ltd. (Sand for various Ballfields and Playgrounds)	\$ 5,165.73
6.	Henderson Recreation Equipment Limited (Playground Equipment)	\$ 52,658.00
7.	Newfoundland Power (Relocate Poles at Soccer Complex, Smallwood Drive)	\$ 18,822.54
8.	Eastern Audio Limited (Services Rendered for City Days July 2011)	\$ 14,565.70
9.	Magna Contracting & Management Inc. (Glacier Arena CP1 - Progress Invoice #20)	\$ 21,481.87
10.	Tract Consulting Inc. (Gateway Signage - Certificate for Payment #2)	\$ 119,946.00
11.	Eastern Waste Management (MMSB - HHW Day - June 11, 2011)	\$ 15,255.00
12.	The Telegram (Preparation and Postage of July Tax Bills)	\$ 6,966.89
13.	Hay Group Limited (Consulting Fees & Expenses)	\$ 36,865.31
14.	Canadian Classic Rock (Entertainment for City Days 2011 - Irish Descendants)	\$ 5,910.00
15.	Municipal Assessment Agency (Third Quarter for Assessment Fees)	\$ 69,839.25
16.	The Novaks (Entertainment for City Days 2011 - The Novaks)	\$ 5,000.00

17.	BSB Electrical Services (Lighting for Team Gushue and Squires Ballfields)	\$ 145,529.73
18.	B & B Sales Limited (Autoscrubber & Twin Tec for Glacier)	\$ 6,105.39
	<b>TOTAL</b>	<b>\$ 585,518.44</b>

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION, AND TOURISM COMMITTEE REPORT

11-08-566 Request for Advertising  
Oil and Gas Magazine

Motion – Councillor Stoyles /Locke

RESOLVED THAT approval be given for the City to place a quarter-page, color advertisement in the Oil and Gas Magazine, Fall Edition 2011, at the price of \$1,250.00 plus HST.

Discussion - Oil & Gas Magazine will also provide a 200-word piece editorial to compliment the advertisement.

Question called. Motion carried unanimously.

11-08-567 Expression of Interest  
Proposed Seniors Affordable Housing Development  
33-39 Municipal Avenue

Motion – Councillor Stoyles /Councillor Locke

RESOLVED THAT approval be given to proceed with the Expressions of Interest process for the potential development of a senior's affordable housing development at 33- 39 Municipal Avenue.

Discussion – It was noted that this potential development is for seniors only and that a lot of work has to be done on it yet. It is not certain that this will proceed, but Council is doing their best to make it happen.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

11-08-568 Signage and Lane Design – Topsail Road Onto Commonwealth Avenue

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the existing signage (yield) be replaced with the “added lane sign” at the following three intersections:

- Topsail Road/Commonwealth Avenue
- Old Placentia Road/Commonwealth Avenue
- Smallwood Drive/Commonwealth Avenue

Question called. Motion carried unanimously.

11-08-569 Greenwood Crescent Bridge – Upgrading Project  
Results of Tender Call

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for the Greenwood Crescent Bridge – Upgrading Project be awarded to the low bidder, Platinum Construction in the amount of \$169,584.75.

Discussion – It was noted that the aim is to have this work completed this year.

Question called. Motion carried unanimously.

11-08-570 Glacier Arena Expansion (CP1)  
Change Order #8

Motion - Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be given to process Change Order #8 for the Glacier Arena Expansion (CP1).

Question called. Motion carried unanimously.

11-08-571 Glacier Arena Expansion (CP2)  
Change Order #12

Motion - Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be given to process Change Order #12 for the Glacier Arena Expansion (CP2).

Question called. Motion carried unanimously.

11-08-572 BSB Electrical Services – Change Orders  
Lighting – Squires Field and Team Gushue Softball Fields

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be given for the Change Orders #1-4 for a total amount of \$33,798.58 for the Squires and Team Gushue softball fields lighting project.

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

11-08-573 1 Grey Place – Accessory Building  
Residential – Low Density (RLD)

Motion – Deputy Mayor Locke /Councillor Tessier

RESOLVED THAT as per Development Regulation 33(4) – Accessory Buildings and based on information received in association with the proposal, approval be given for the proposed 33.45m<sup>2</sup> accessory building at 1 Grey Place and that a permit be issued in accordance with the submitted site plan and the required relation of the low back curb at the cost of the developer.

Discussion – It was noted that the proposal does not meet the minimum flanking street sideyard width standard, but an established pattern of accessory buildings in the Flanking Street Sideyard exists in the neighborhood.

It was also noted that as there is sufficient off-street parking provided on the lot and residential lots with similar driveways arrangements

exist in the area, therefore approval is given and a permit be issued in accordance with the submitted site plan that includes a parking stall length driveway off the road right-of-way and the required relocation of the low back curb at the cost of the developer.

Question called. Motion carried unanimously.

11-08-574 Waterford River Cleanup  
Community Cleanup Blitz

Council was advised that the Mount Pearl Waterford River Clean Up Community Blitz was held on Saturday, August 13, 2011 and was a great success with approximately 20 volunteers from the community participating. A barbecue was held in appreciation for the efforts of the volunteers and was sponsored by CIBC Banking Centre. Sincere appreciation is extended to all participants. It was noted that the GIS Technician, Monica Storch is preparing a report on this project.

Mayor Simms noted that much riverside garbage is coming from businesses located in the Donovan's Business Park and it was suggested that residents and businesses that are responsible for allowing their garbage to litter the riverside should be responsible to remove it.

11-08-575 Development Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT development permits issued for the period of August 5 to 19, 2011 be approved as presented.

Question called. Motion carried unanimously.

11-08-576 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of August 6 – 19, 2011 showing a total construction value of \$4,213,600, be approved as presented.

Question called. Motion carried unanimously.

11-08-577 Municipal Plan Amendment No. 90, 2011 and Development Regulations Amendment No. 201, 2011

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Mount Pearl Municipal Plan Amendment #90, 2011 and Development Regulations Amendment #210, 2011 (291 Old Placentia “Road – OB Rezoning) be adopted as presented AND FURTHER THAT the public hearing date be set at 7:00 p.m. on Thursday, September 15, 2011 at Mount Pearl City Hall AND FURTHER THAT George Trainor be appointed Commissioner pursuant to Section 19 of the Urban and Rural Planning Act.

Question called. Motion carried unanimously.

11-08-578 Mount Pearl Municipal Plan Review (City Plan 2010) and Mount Pearl Development Regulations 2010 Review

Motion – Deputy Mayor Locke /Councillor

RESOLVED THAT, in accordance with the direction of the Department of Municipal Affairs, the Municipal Plan and Development Regulations be approved accordingly:

- 1) That the City Plan 2010 and associated Development Regulations be processed.
- 2) That a public hearing be held on September 15, 2011 at 7:00 p.m. on the proposed policy amendment and re-designation of property at the Glendale Gardens property.
- 3) That George Trainor be appointed Commissioner pursuant to Section 19 of the Urban and Rural Planning Act

Discussion - Councillor Lane questioned if the business owner who took issue with the updated flood plain information contained in our plan would have any option to appeal. The property owners are aware of the history of the development of the site and the Director of Planning and Development confirmed that an appeal to the courts is the next available option in this particular case.

Question called. Motion carried unanimously.



NEW BUSINESS

11-08-579 Boys & Girls Under 18 Soccer

Councillor Aker expressed congratulations to the all coaches, managers and players of the Boys & Girls Under 18 Soccer games on a job well done.

11-08-580 Helmets for Skateboard Park

Councillor Walsh advised that discussions are ongoing regarding the requirement for the wearing of helmets in the skateboard park and it should be resolved before the official opening of the park.

11-08-581 Closure of Swimming Pool

Councillor Walsh advised that the Mount Pearl Swimming Pool will be closed for regular programs due to maintenance from August 28 to September 6, 2011 (inclusive).

11-08-582 Rick Hansen – 25<sup>th</sup> Anniversary Relay

Councillor Walsh advised that Rick Hanson's 25<sup>th</sup> Anniversary Relay will be coming to Centennial Park on Thursday, August 25<sup>th</sup> with Rick Hansen being present for the official ceremony beginning 3:30 p.m. to 5:00 p.m. There will be live entertainment and refreshments being served.

11-08-583 Smallwood Arena

Councillor Walsh advised that discussions are still ongoing on a development application for the Smallwood arena and a decision should be made shortly on this matter.

11-08-584 Petition –St. David's Field

Council was advised that a petition was circulated by the Minor Baseball Association regarding the use of St. David's Field. A meeting was held with the Association and they were advised that other recreational areas are being investigated for use.

11-08-585 Sympathy – Jack Leyton's Family

Councillor Stoyles extended sympathy to Jack Layton's family on his passing yesterday, August 22<sup>nd</sup>. It was noted that M.P. Ryan Cleary has a registry in his office on Commonwealth Avenue where people can sign their names and it will be forwarded to Ottawa.

11-08-586     Oil Spill in Donovans

Councillor Stoyles questioned the status of the oil spill in Donovans and the Director of Infrastructure and Public Works advised that the clean-up is still in process. Pollution from the source has been contained and there has been no reimbursement to the city as of yet for the costs it incurred in originally containing the spill.

11-08-587     Morgan Squibb

Councillor Stoyles advised that Mount Pearl resident, Morgan Squibb, was a grand prize winner of the Acuvue One-Day contest for teens where she entered a one-minute video describing something that she always wanted to do which was to perform in Hollywood. She was one of five grand prize winners throughout North America and was given two trips to Hollywood. It was recommended that a letter of congratulations be sent to Morgan.

11-08-588     Jordan Hodder

Councillor Lane expressed congratulations to Jordan Hodder, a resident of Mount Pearl, who is a participating member of Team Canada and will be representing Canada in the World Mountain Bike Championship Games. It was recommended that a letter of congratulations be sent to Jordan Hodder.

11-08-589     Resident – Died in Plane Crash

Mayor Simms expressed condolences to the family of Michael Rideout, a resident of Mount Pearl, who was killed in a plane crash in Resolute Bay, Nunavit on Saturday, August 20, 2011.

11-08-590     Munich Choir

Mayor Simms expressed appreciation to the Munich Choir who performed last week in Centennial Park. They did a fabulous job and were well received by their audience.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:45 p.m. on a motion by Councillor Aker and seconded by Councillor Lane .

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Chairperson

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Human Resources Assistant