



**PUBLIC COUNCIL MEETING MINUTES
December 18, 2012**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on December 18, 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
Councillor Andrew Ledwell

STAFF PRESENT

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

Mayor Simms chaired the meeting.

12-12-835 Adoption of Agenda

Motion – Councillor Ledwell /Councillor Tessier

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-12-836 Adoption of Minutes

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on November 27, 2012 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING/ ACTION REPORT

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

PROCLAMATIONS/PRESENTATIONS

12-12-837 Community Food Sharing Association

Council welcomed representatives from the Planning & Development Department, CUPE Local 2099 and the Community Food Sharing Association (Mr. Eg Walters). Councillor Aker outlined the fundraising initiative undertaken by the staff and the financial support received from CUPE Local 2099 and City employees that resulted in an \$825 donation to the Community Food Sharing Association. Mr. Walters extended appreciation to staff and council.

12-12-838 Resolution – FCM Campaign (new long term infrastructure program)

Council recommended approval to endorse the FCM campaign that would see the Minister of Transport, Infrastructure & Communities working with the FCM to ensure that the new long-term infrastructure plan meets the core infrastructure needs of cities and communities.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

12-12-839 Professional Medical Building – 48 Bannister Street

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a development permit be issued to Performance, Stability, Rehabilitation Ltd. and GNA Properties Inc. to develop Clinic and Office Uses within the existing building at 48 Bannister Street, subject to:

- i. The development being exempted from the off-street parking requirements of the Mount Pearl Development Regulations 2010, as this is one of a series of attached older buildings along Bannister Street without off-street parking;
- ii. all occupancies of buildings within the City requiring an Occupancy Permit prior to the occupancy of the building with a final inspection being required to ensure compliance to all regulations, codes and requirements prior to issuance of an Occupancy Permit;

- iii. notwithstanding the requirements as per Section 8 – Signs and Advertisements of the City of Mount Pearl Development Regulations 2010, signs for buildings housing two or more uses or occupancy shall be limited to one wall sign per use or occupancy and one pylon or ground sign per street frontage for the whole building; such pylon or ground sign shall display the advertisement for all uses or occupancies housed in the building;
- iv. meeting of all City Inspector conditions; and,
- v. meeting all requirements of the Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

12-12-840 Tender Award – GPS

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT approval be granted to award the tender for a Handheld GPS System to Cansel Wade in the amount of \$16,591.50 (plus HST).

Question called. Motion carried unanimously.

12-12-841 Rescinding of Order – 1073 Topsail Road

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT approval be granted to rescind an Order issued on November 2, 2012, to the property owner, Castor River Holdings Limited, regarding parking deficiencies for the tenant business, Heavyweights Training Centre at 1073 Topsail Road.

Discussion: It was noted that the business tenant, Heavyweights Training Centre, has vacated the building.

Question called. Motion carried unanimously.

12-12-842 Rescinding of Order – 3 Beclin Road

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT approval be granted to rescind the Order issued to the property owner, Principal Holdings Ltd., on March 20, 2012, in relation to the business operation by City Tire and Auto Centre Ltd. at 3 Beclin Road.

Discussion: It was noted that the deficiencies arose from the business use by City Tire and Auto Centre Ltd., which is no longer operating from this location.

Question called. Motion carried unanimously.

12-12-843 Amendments – 855 Topsail Road

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Commissioner's report dated December 7, 2012 related to 855 Topsail Road be accepted AND FURTHER THAT pursuant to the Urban and Rural Planning Act, the Mount Pearl Municipal Plan 2010 Amendment No. 4, 2012 and Mount Pearl Development Regulations 2010 Amendment No. 10, 2012 (885 Topsail Road [CM] Rezoning Amendment) be approved.

Question called. Motion carried unanimously.

12-12-844 Development Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT development permits issued for the period of November 26 – December 14, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-12-845 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of November 24 – December 14, 2012, showing a total construction value of \$2,522,400.00, be approved as presented.

Question called. Motion carried unanimously.

12-12-846 Proposed Change of Use – 30 Dundee Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a Development Permit be issued to Heddle Marine Service (NL) Inc. to occupy the existing 929 m² building at 30 Dundee Avenue as a General Industry Use subject to the following conditions:

- Engineering Services Division conditions;
- Inspection Services conditions;

- Planning and Development Department conditions;
- St. John's Regional Fire Department conditions; and,
- The development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

PUBLIC WORKS COMMITTEE REPORT

12-12-847 Winter Maintenance (update)

An update on action taken in preparation for the winter season was provided. Residents were reminded not to push snow onto the streets and sidewalks. It was also noted that vehicles are not permitted to be parked on any street between the hours of 1:00 am and 8:00 am or during a storm and for 12 hours thereafter.

12-12-848 Household Garbage Collection – Christmas Season

Residents were advised of the following changes to the garbage collection schedule due to the Christmas holidays:

Usual Schedule

Tuesday, December 25
Wednesday, December 26
Tuesday, December 31

Revised Schedule

Monday, December 24
Thursday, December 27
Monday, December 30

Residents were also reminded to place their garbage cart on the most level surface when possible. Carts placed on an uneven surface are more subject to tipping during high winds.

COMMUNITY SERVICES COMMITTEE REPORT

12-12-849 Reid Community Centre (Christmas Hours)

The Reid Community Centre Christmas hours of operation are as follows:

December 24	6am – 10:30am
December 25- 26	Closed
December 27- 28	6am – 11pm
December 29- 30	9am – 11pm
December 31	New Years Eve Party
January 1	Closed
January 2	6am – 10pm (Regular hours)

12-12-850 Swimming Pool (Maintenance Closure)

The Swimming Pool will cease operations as of 7:00pm on Wednesday, December 19, 2012 up to and including Friday, January 11, 2013 to facilitate the painting of the pool basin. The pool is scheduled to reopen for use on Saturday, January 12, 2013 at which time all regularly scheduled activities and staffing levels will resume.

12-12-851 Registration – Swimming Lessons

Registration will take place on January 3, 2013 for open and online programs from 10am to 5pm. The programs will start on January 12, 2013.

12-12-852 Family First Night Celebrations

Family First Night Celebrations will take place at the Glacier Arena on Monday, December 31, from 4:00 - 6:00 pm. Families are invited free of charge to this non-alcohol family event.

12-12-853 2013 Winter/Spring Activity Guide

The Winter/Spring Activity Guide will be delivered to households beginning Wednesday, December 19.

12-12-854 Marlin News

Congratulations were extended to members of the Marlins who participated in recent swim meets.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

12-12-855 Request for Advertising
NOIA Membership Directory & Atlantic Business

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT approval be granted for the purchase of advertising as follows:

- NOIA Membership Directory for 2013 –
One quarter-page advertisement (black and white) - \$475.00
- Atlantic Business – One one-sixth page advertisement - \$1,150.00

Question called. Motion carried unanimously.

12-12-856 New Businesses

Council acknowledged new businesses that have opened in Mount Pearl to date in 2012 and extended congratulations and best wishes for success.

ENGINEERING SERVICES COMMITTEE

12-12-857 Multiplex - Update

An update on the Multiplex construction was presented. The webcam equipment is installed and operational. Photos of the Multiplex construction progress are occurring daily and are available on the City's website.

12-12-858 Softball Building Update

An update on the softball building construction was presented.

12-12-859 Forest Avenue – Demolition of Properties - Update

Council was advised that demolition of 29 Forest Avenue is complete and 32 Forest Avenue is ongoing.

CORPORATE SERVICES COMMITTEE

12-12-860 Invoices for Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Afonso Group Limited (Water Sampling November 2012)	\$ 7,316.75
2.	Afonso Group (Water Sampling October 2012)	\$ 7,429.75
3.	Avalon Coal Salt & Oil Limited (Road Salt)	\$ 69,003.50
4.	Avalon Coal Salt & Oil Limited (Road Salt)	\$ 88,400.57
5.	Avalon Coal Salt & Oil Limited (Road Salt)	\$ 55,793.01
6.	Bae Newplan Group (Professional Fees - 2011 Street Upgrading)	\$ 29,285.62
7.	Bae Newplan Group (Recreational Complex Pearlgate Phase 1 & 2)	\$ 8,475.00
8.	City of St. John's (Water Consumption November 2012)	\$ 161,522.05

9.	City of St. John's (Regional Fire Service - December 2012)	\$ 334,312.24
10.	City of St. John's (City Share of Harbour Clean Up)	\$ 296,843.21
11.	Colonial Garage & Distributors Ltd. (Insurance Consulting Services)	\$ 6,000.01
12.	E. Tucker & Sons Limited (Repair Loader Unit 631)	\$ 17,599.75
13.	Ed Loveless Contracting Ltd. (Admiralty House Annex New Doors)	\$ 18,701.50
14.	Electronic Centre (Camera Kit Outside Multiplex)	\$ 5,537.00
15.	Emberley Electric Limited (Security System on Water Tower)	\$ 5,652.23
16.	Flint Trading Inc (Pavement Lines)	\$ 21,235.90
17.	Gaze Seed Co. (Lime For Sports Fields)	\$ 11,959.92
18.	GCR Tire Centres (Tires for fleet)	\$ 2,339.10
19.	Grand & Toy (Desks)	\$ 5,123.48
20.	Hatch Mott MacDonald (Ruth Avenue School District)	\$ 12,475.20
21.	James J. Piccott Equipment Rentals (Rental of Excavator for Trunk Sewer)	\$ 8,904.40
22.	Kelloway Construction Ltd. (Cleaning Services October 2012)	\$ 11,959.16
23.	Kelloway Construction Ltd. (Cleaning Services November 2012)	\$ 11,959.16
24.	Marco Services (Pearlgate Recreation Multiplex CP3 - Progress Payment #6)	\$ 976,084.05
25.	Modern Paving Limited (2011 Street Upgrading CP1 - Progress Payment #4)	\$ 186,015.61
26.	OnX Enterprise Solutions (Backup Server & Updates)	\$ 11,573.08
27.	OnX Enterprise Solutions (Spam & Virus Firewall with Updates)	\$ 5,295.09
28.	On Grade NL Inc. (GPS System TP-12-022)	\$ 28,589.00
29.	Power Vac Services (Asbestos Abatement 32 Forest Avenue)	\$ 5,085.00

30.	Temple Consulting Group Ltd. (MAIS Software/Hosting Maintenance Program Services)	\$ 16,048.26
31.	Weir's Construction Ltd. (Asphalt Re-profiling & Patching TP-12-010)	\$ 80,836.19
32.	Weir's Construction Ltd. (2012 Street Upgrading CP3 - Glencoe Drive Grind & Patch)	\$ 10,653.79
33.	Weir's Construction Ltd. (2011 Street Upgrading CP3/Progress Claim #1)	\$ 101,804.54
34.	Clearaway Contracting Limited (Line Painting Second Coat)	\$ 32,991.99
35.	Clearaway Contracting Limited (Milling of Lines /Thermal Plastic Placement)	\$ 10,953.09
	Total	\$ 2,663,758.20

Question called. Motion carried unanimously.

2013 Budget Presentation

Deputy Mayor Locke provided an overview of the budget process, the highlights of 2012 and plans for 2013.

12-12-861 2013 Tax Rates

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the City of Mount Pearl, in accordance with the City of Mount Pearl Act, establish the following tax rates for the 2013 taxation year:

Property Tax – Residential (Minimum \$200/yr)	6.7 mils
Property Tax – Commercial (Minimum \$250/yr)	12 mils
Water/Wastewater Fee - Residential	\$600 per unit
Water/Wastewater Fee- Commercial (Minimum \$600)	2.3 mils
Commercial Water Rate	
0 - 100,000 gallons	No additional charge
100,000 - 20 million gallons	\$6.00 per thousand
Over 20 million gallons	\$5.50 per thousand
School Boards – Water/Wastewater Fee	\$8.00 per student
Provincial Government Buildings – Water/Wastewater Fee	6.25 mils

General Commercial	16.75 mils
Banks & Financial Institutions	74.2 mils
Bulk Storage – Oil Companies	37.7 mils
Large Department Stores	20.0 mils
Oil and Gas Service Industry	20.0 mils
Professional Operations	23.0 mils
All businesses subject to taxation under the Taxation of Utilities & Cable gross revenue Television Companies Act and Commercial establishments without a fixed place of business within the City.	2.5% of annual
Recreational and Non-Profit Facilities	11.2 mils
Hotels/Motels/Private Schools /Self Storage	15.4 mils
Daycares and Personal Care Homes	Exempt
Agricultural Operations	2.9 mils
Billboard (per side)	\$100/yr
Minimum Business Tax	\$250/yr

Question called. Motion carried unanimously.

12-12-862 2013 Rates & Fees

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the City of Mount Pearl, in accordance with The City of Mount Pearl Act, approve the presented Schedule of Rates & Fees, to take effect January 1, 2013.

Question called. Motion carried unanimously.

12-12-863 Interest Rate

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the City of Mount Pearl, in accordance with The City of Mount Pearl Act, approve an annual rate of interest of 10% to be levied on all past due taxes and accounts receivable.

Question called. Motion carried unanimously.

12-12-864 Revenues and Expenditures

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the City of Mount Pearl, in accordance with The City of Mount Pearl Act, approve the 2013 Budget with operating Revenues and Expenditures totalling \$41,511,000.00.

Question called. Motion carried unanimously.

NEW BUSINESS

12-12-865 2013 Budget Process

Members of Council commented on the 2013 budget process and extended appreciation to all involved. Information was also presented on the Municipal Assessment Agency and the availability of materials used to determine assessed values.

12-12-866 Fundraiser – Community Food Sharing Association

Councillor Aker extended appreciation to the Director of Planning & Development for supporting staff's fundraising initiative.

12-12-867 Seniors Independence – Christmas Social

Councillor Aker noted the success of the Seniors Independence Christmas social and the significant number of members in attendance.

12-12-868 Reminder to Motorists

Councillor Tessier reminded motorists to be mindful of the increased number of children out and about during the Christmas break from school.

12-12-869 Pets – Cold Weather

Councillor Tessier reminded residents not to keep their pet outdoors for extended periods of time during cold weather.

12-12-870 Food Drive – Mount Pearl Minor Hockey Association (MPMHA)

Deputy Mayor Locke extended appreciation to all who organized, participated in and contributed to the recent MPMHA food drive.

12-12-871 Mount Pearl Senior High (MPSH) – Girls Volleyball

Deputy Mayor Locke extended congratulations to the MPSH Girls Volleyball Team on winning the 4A Provincial Championship.

12-12-872 Santa Claus Parade

Deputy Mayor Locke extended appreciation to the Mount Pearl Lions Club for organizing the Annual Santa Claus Parade, noting the success of this year's event.

12-12-873 Church of the Good Shepherd – Arctic Char Fundraiser

Councillor Stoyles provided information on the above noted fundraiser taking place on January 26 at the Reid Community Centre.

12-12-874 St. Peter's Parish/Hockey Dads
New Years Eve Dinner

Councillor Stoyles advised that St. Peter's Parish (Parish Hall) and the Hockey Dads (Reid Community Centre) are hosting New Years Eve functions.

12-12-875 Condolences

Councillor Stoyles extended condolences to employees Boyd Porter on the passing of his father, Rick Smith on the passing of his father, Colleen Butler on the passing of her mother-in-law.

12-12-876 Chamber of Commerce (2013 Budget)

Councillor Walsh acknowledged the presence of Chamber representatives in attendance for the 2013 budget presentation. He also reconfirmed Council's commitment to improvements for Donovan's Business Park.

12-12-877 Special Olympics

Councillor Ledwell commented on the overall success of the Special Olympics organization.

Mayor Simms recognized the efforts of all involved in the 2013 budget process and extended Christmas greetings to residents, council and staff.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:50 pm on a motion by Councillor Aker and seconded by Councillor Ledwell.

Chairperson

Deputy City Clerk