

**PUBLIC COUNCIL MEETING MINUTES**  
**January 24, 2012**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on January 24, 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 <sup>(1)</sup>  
Jason Silver, Director, Corporate Services  
Gerry Antle, Director, Infrastructure & Public Works  
Mona Lewis, Deputy City Clerk

<sup>(1)</sup> Arrived when noted.

**Mayor Simms chaired the meeting.**

12-01-027     Adoption of Agenda

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-01-028     Adoption of Minutes

Motion – Councillor Walsh/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held on January 10, 2012 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

## BUSINESS ARISING

### 12-01-029     Hedge – 20 Bannister Street

The CAO advised of a meeting with the property owner's solicitor at which clarification on the matter was provided. Further information will be provided to the solicitor to assist his client with understanding the safety issue, and it is hoped that the matter will be resolved from proceeding to litigation. A further update will be provided to council.

## ACTION REPORT

The action report was accepted as presented.

## PROCLAMATIONS/PRESENTATIONS

### 12-01-030     International Development Week

Mayor Simms signed a proclamation declaring February 5 – 12, 2012 as International Development Week in the City of Mount Pearl. The intent of the proclamation is to recognize the Federation of Canadian Municipality's contribution over the past 25 years as a Canadian and world leader in international municipal development. Residents were invited to become informed about international development, to show their solidarity with developing countries, and to continue to support Canadian municipalities' international community-building efforts.

## CORRESPONDENCE

None presented.

## COMMITTEE REPORTS

### COMMUNITY SERVICES COMMITTEE REPORT

#### 12-01-031     Admiralty House Museum & Archives 1<sup>st</sup> Installment of Operating Grant 2012

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted to release the first installment of the 2012 operating grant, in the amount of \$20,250, to the Admiralty House Board of Management.

Question called. Motion carried unanimously.

**The Director of Planning & Development arrived.**

12-01-032 Mount Pearl Frosty Festival  
1<sup>st</sup> Installment of Operating Grant 2012

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted for the release of the Frosty Festival 2012 operating grant, in the amount of \$19,000 (50%), with the remaining 50% to be released at the end of the Frosty Festival.

Discussion: The Frosty program was presented outlining the activities planned for the Festival being held February 2 – 12, 2012. Tickets are on sale at the Glacier box office (Monday – Friday 6:00 pm – 8:00 pm and Saturday & Sunday 11:00 am – 3:00 pm).

Question called. Motion carried unanimously.

12-01-033 Arena Board of Management  
1<sup>st</sup> Installment of Operating Grant 2012

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted to release the first installment of 2012, in the amount of \$58,000, to the Mount Pearl Glacier/Smallwood Arena in accordance with the Memorandum of Understanding with the City.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE REPORT

12-01-034 Requests for Tax Consideration

Motion - Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to exempt 2012 property taxes, in accordance with Council's past practice, and 2012 business taxes in accordance with Council's policy for charitable organizations, for the following:

Name	Address	Type	Annual Amt
The Terry Fox Foundation	835 Topsail Road	Business (100%)	\$505.36
The Salvation Army	18 Senate Crescent	Property (100%)	\$1,398.60
Mount Pearl · Paradise Chamber of Commerce	39-45 Commonwealth Ave	Business (100%)	\$461.94
Columbus Centre	25 Moores Drive	Property (60%)	\$1,299.07
St. John Ambulance	8 Thomas Byrne Drive	Business (100%)	\$9,621.92

Safety Services Newfoundland Labrador	1076 Topsail Road	Business (100%)	\$4,075.00
VOCM Cares	1195-1203 Topsail Rd	Business (100%)	\$835.47
Heart and Stroke Foundation	1037 Topsail Road	Business (100%)	\$3,909.18
Community Food Sharing	1143-1149 Topsail Rd	Business (100%)	\$3,414.77
CHANAL	77 Barbour Drive	Business (100%)	\$377.65
Canadian Hard of Hearing	1081 Topsail Road	Business (100%)	\$7,264.48
Iris Kirby House		Property (100%)	\$1,457.80
Parkdale Manor	65 Park Avenue	Property (60%)	\$2,948.72
The Search and Rescue Volunteer Assoc	1060-1062 Topsail Rd	Business (100%)	\$ 716.18
Masonic Park	117 Mount Carson Ave	Property (60%)	\$69,873.95
Freemason Hall	115 Mount Carson Ave	Property (60%)	\$8,835.75
Freemason Hall	115 Mount Carson Ave	Business (100%)	\$19,733.18
Knights of Columbus	7 Greenwood Cres	Property (100%)	\$3,530.00
Knights of Columbus	7 Greenwood Cres	Business (100%)	\$4,730.20
Canadian Diabetes Association	860-866 Topsail Road	Business (100%)	\$1,300.08

Question called. Motion carried unanimously.

12-01-035 Grant Request  
Visions Employment Inc.

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted of a \$500 grant in lieu of business tax exemption for Visions Employment Inc. for 2012.

Question called. Motion carried unanimously.

12-01-036 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Stantec (Mount Carson Avenue Upgrading - CP2)	\$ 6,965.90
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2.	Municipal Assessment Agency (1st Quarter Fees)	\$ 71,064.50
3.	RICOH (Electronic & Records Management System)	\$ 121,595.23
4.	Kelloway Construction Ltd (Cleaning Services December 2011)	\$ 11,959.16
	TOTAL	\$ 211,584.79

Question called. Motion carried unanimously.

12-01-037 Emergency Management Plan

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the City of Mount Pearl Emergency Management Plan as presented and approved by Fire and Emergency Services NL be approved.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

12-01-038 Grand Opening – Best Boy Entertainment  
236 Park Avenue, Mount Pearl

Congratulations were extended to Best Boy Entertainment on their grand opening of their film and television production studio at 236 Park Avenue. It was noted that a congratulatory note/gift will be forwarded from the Mayor's office.

Reference was made to the positive commentary by the property owner regarding the efforts of the Planning and Development Department staff for expeditiously processing their application and supporting the application to the occupancy permit stage.

Council congratulated the Planning and Development Department for their work and effort in this application and requested their congratulations be forwarded to staff.

12-01-039 John Atkins & Co.

Congratulations were also extended to John Atkins & Co., a Mount Pearl marketing agency, that designed the Iceberg Quest Ocean Tours website, which won the Canadian e-Tourism Award. It was noted that a congratulatory note will be forwarded from the Mayor's office.

## ENGINEERING SERVICES COMMITTEE

### 12-01-040 Fleet Street – Review of On-Street Parking Issue

Council was advised of an inquiry from a resident of Fleet Street requesting clarification regarding the placement of “no parking” signs in the area of #2-#18 Fleet Street.

It was noted that Engineering staff visited Fleet Street and confirmed that the street width is inadequate to permit parking on both sides of the street. For safety reasons, the “no parking” signs were placed on the even side of the street, on the inside of two curves. This location was considered the preferred area to prevent sightline issues for motorists.

It was noted that lawns damaged by the installation of the signs/poles will be repaired following the winter season.

## PLANNING AND LAND USE DEVELOPMENT COMMITTEE

### 12-01-041 Automotive Use Amendment 627-635 Kenmount Road

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the proposed automotive use amendment to the Mount Pearl Development Regulations 2010 be adopted AND THAT FURTHER the wording of Item 1.(1) read [...]replace section 11.26.7 (b) to read “parking lot shall be paved and shall not require any municipal water and sanitary sewer services.”

Question called. Motion carried unanimously.

### 12-01-042 Application for Home-Based Business – DA12-0020 Furniture Upholstery Business 86 Nash Crescent

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT an application by David Manuel to occupy a portion of the dwelling at 86 Nash Crescent to operate a Home Occupation (re-cover furniture) be refused on the basis that the proposed use is not in the form of a small appliance repair, sporting goods, educational or similar use as per Section 7 – Special Developments, 7.16 Home Occupation, Condition 7.16.1.

Discussion: Council questioned the proposed use and whether it could be discretionary if there was no objection in the neighbourhood. It was agreed that

the motion denying this application would stand; however, the regulations will be reviewed with consideration being given to permitting discretionary uses.

Question called. Motion carried unanimously.

12-01-043 Issuance of Order  
54 Mortimore Drive

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Order to the property owner of 54 Mortimore Drive, issued on January 13, 2012, be ratified subject to the date of compliance being amended to May 31, 2012.

Question called. Motion carried unanimously.

12-01-044 Issuance of Order  
Change of Use – DA11-00233  
Clean Sweep Property Maintenance Ltd.  
1221 Topsail Road

Item deferred.

12-01-045 Notice of Motion  
Amendment – Mount Pearl Development Regulations 1988

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:

1. Amend the land use zoning map of the Mount Pearl Development Regulations 2010 by rezoning land in the Kenmount Hill area from Rural to Urban Reserve – Comprehensive Development Area.

The intention of this amendment is to rezone those lands currently zoned as Rural and located above the 190 m contour to an urban zoning to signal Council's intention to encourage the development of these lands for urban purposes subject to the approval of a detailed comprehensive development scheme and provided adequate municipal services is in place to accommodate the urbanization of these lands.

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

12-01-046 Development Permit List

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Development Permit list for the period of January 3 – 20, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-01-047 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of January 8 – 20, 2012, respectively showing a total construction value of \$3,625,700, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

12-01-048 Frosty Festival Schedule

Councillor Ledwell advised that the Frosty Festival Programs will be circulated to residents via the Telegram “Go Bags/Flyer Packages”.

12-01-049 Snowclearing

Councillor Walsh extended appreciation to staff in recognition of their quick and efficient response during and following the recent storm.

12-01-050 Condolences

Councillor Stoyles extended condolences to City employee, Gordon Collins, on the passing of his mother.

12-01-051 Minor Hockey Week

Councillor Stoyles advised that she attended the opening ceremonies of the Novice Jamboree and Kick-Off of Minor Hockey Week 2012.

12-01-052 Residential Energy Efficiency Program (NLHC)

Councillor Stoyles extended appreciation to MHA Paul Lane for forwarding information on the above noted program to his constituents.

12-01-053 Team Gushue Highway – Construction

Councillor Stoyles noted that MHA Steve Kent has advised that construction has begun on the first phase of the extension to the Team Gushue Highway which is expected to be completed in 2014.



12-01-054     Regulations – Fireworks

Deputy Mayor Locke raised concerns expressed by residents regarding the effects of fireworks on pedestrians and animals. He questioned the possibility of regulating their use. It was noted that the City has previously considered regulations but not implemented them. It was requested that staff revisit the matter.

12-01-055     Team Gushue Highway

Deputy Mayor Locke commented on the potential for traffic congestion from the off ramp for Team Gushue Highway/Topsail Road/Mount Pearl Square. It was indicated that staff have brought this matter to the attention of Government officials.

12-01-056     Mount Pearl Minor Hockey Association – Volunteer Appreciation

Deputy Mayor Locke advised that he attended the MPMHA Volunteer Appreciation Dinner. He extended appreciation to all the volunteers (executive, coaches, parents, referees) involved in the sport.

12-01-057     Animal Care

Councillor Tessier encouraged residents not to leave their pets out in the cold for extended periods of time, noting that the SPCA has indicated that shelters should be insulated. She also indicated that no animal is permitted to roam freely.

12-01-058     Garbage Collection

Councillor Tessier reminded residents that garbage is to be placed to the curb by 8:00 am on the day of collection regardless of the time it is usually collected.

12-01-059     Trails – Groomed

In response to Councillor Aker, it was noted that the trail grooming program has commenced and to date the trail from Donovan's to Dunn's Road has been groomed.

12-01-060     Affordable Seniors Housing Committee

Councillor Aker advised that the Affordable Seniors Housing Committee, in conjunction with the Seniors Independence Group, will be hosting a pancake lunch on February 15 at Park Place Community Centre. This is a fundraiser in support of the Newfoundland and Labrador Housing and Homelessness Network.

12-01-061     Staff Appreciation – Snow Storm

Councillor Aker noted that City Hall remained open during the recent snow storm and extended appreciation to staff for their efforts.

12-01-062     Hockey – Senior Blades

Councillor Aker encouraged residents to support the Senior Blades hockey team by attending their games.

12-01-063     Snowmobiles

Councillor Stoyles reminded residents that it is illegal to operate snowmobiles within the City's boundaries.

12-01-064     Retirement – Gerard Philpott, Parks & Facilities Supervisor

Mayor Simms congratulated Mr. Philpott on his retirement (January 27). He extended appreciation to him for his years of hard work and dedication.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:20 pm on a motion by Councillor Tessier and seconded by Councillor Aker.

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Chairperson

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Deputy City Clerk