

PUBLIC COUNCIL MEETING MINUTES
July 24, 2012

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 24, 2012 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor John Walsh
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, Community Services
Mona Lewis, Deputy City Clerk

Councillor Tessier was absent.

Mayor Simms chaired the meeting.

12-07-503 Adoption of Agenda

Motion – Councillor Ledwell /Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-07-504 Adoption of Minutes

Motion – Councillor Walsh /Councillor Aker

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

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING/ ACTION REPORT

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

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

12-07-505 Canadian Tire Jumpstart Charities

A letter was presented from Canadian Tire Jumpstart Charities expressing appreciation to Council for supporting their fundraising efforts (Jumpstart Day) and participating by signing a proclamation during a public council meeting.

12-07-506 Municipalities NL

A copy of a letter from Municipalities NL to the Honourable Terry French, Minister of Environment & Conservation, regarding the City's resolution (presented at the 2011 Convention) entitled "Updating of IDF Curves" was presented. The Minister was requested to provide an update on this issue.

12-07-507 Minister of Human Resources & Skills Development

A letter was presented from The Honourable Diane Finley, Minister of Human Resources & Skills Development, in response to the City's letter of April 3, 2012 regarding Service Canada Centres for Youth.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

12-07-508 Tender Award - Road Salt (sodium chloride)

Motion – Councillor Walsh/Councillor Aker

RESOLVED THAT the tender for the supply and delivery of road salt for the 2012 – 2013 season be awarded to the low bidder, Avalon Coal & Salt, in the amount of \$107.35 per metric tonne (HST included)

Question called. Motion carried unanimously.

12-07-509 Side Loading Garbage Compactor with Auto Arm, RFID System, Cart Tipper

Motion – Councillor Walsh/Councillor Aker

RESOLVED THAT the tender for the supply and delivery of a side loading garbage compactor with auto arm, RFID system, and cart tipper be awarded to the sole bidder, Saunders Equipment, in the amount of \$362,345.80 (HST included).

Question called. Motion carried unanimously.

12-07-510 Light Duty Tractor with Excavator Attachments

Motion – Councillor Walsh/Councillor Aker

RESOLVED THAT the tender for the supply and delivery of a light duty tractor with excavator attachments be awarded to the low bidder, NFLD Kubota, in the amount of \$37,433.51 (HST included).

Question called. Motion carried unanimously.

12-07-511 Hydraulic Lift Gate

Motion – Councillor Walsh/Councillor Aker

RESOLVED THAT the tender for the supply and delivery of a hydraulic lift gate be awarded to the only bidder, Western Hydraulic 2000 Ltd, in the amount of \$3,271.35 (HST included).

Question called. Motion carried unanimously.

12-07-512 Automated Garbage Collection Project

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

- i) Phases 1A and 1B are underway.
- ii) Tender for remaining carts was advertised in the July 21st edition of The Telegram.
- iii) It is anticipated that remaining residents will receive their carts by September.

12-07-513 Bulk Garbage Pickup

Bulk garbage collection is ongoing (into 4th week) with one week remaining.

12-07-514 Used Tires

Council was advised that tires collected from residents will no longer be kept at the Depot but rather delivered to an external private facility for storage and transport to an MMSB site. Residents are reminded that used tires placed at curbside for collection must be free of dirt/debris and dismounted from the rims. *(Subsequent to meeting it was confirmed that tires can be placed to the curb with regular household garbage.)*

12-07-515 Lawn, Curb & Asphalt Repairs

Street and lawn repairs are ongoing.

COMMUNITY SERVICES COMMITTEE REPORT

12-07-516 St. David's Park Redevelopment Plan
Evaluation Committee – Proposals

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT the request for proposals (RFP) for the St. David's Park Redevelopment Plan be awarded to Tract Consulting Ltd., at an estimated project cost of \$12,487.07 including 13% HST and 6% administrative costs.

Question called. Motion carried unanimously.

12-07-517 Association for the Arts in Mount Pearl
2012 Annual Grant

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT approval be granted to release the 2012 operating grant, in the amount of \$2,500, to the Association for the Arts in Mount Pearl.

Question called. Motion carried unanimously.

12-07-518 Element "Make it Count"
2012 International Skateboard Contest Series
Mount Pearl Skate 'n' Ride Park – July 28, 2012

Information was presented on an event being hosted by Element Skateboards on Saturday, July 28, at the Skate 'n' Ride Park at the Team Gushue Complex. Further information will be available on the City's website.

12-07-519 Pearlgate Track & Field Athletes
Provincial Representation

Congratulations were extended to those members of the Pearlgate Track & Field Club who were chosen to represent the Province and participate in the Provincial Legion Meet being held in PEI on August 19. Congratulations were also extended to two other members who were chosen to represent the Province at the Hershey Final in Hershey, Pennsylvania in August.

CORPORATE SERVICES COMMITTEE REPORT

12-07-520 Advertising Request
The Royal Canadian Legion – NL Command - Veteran’s Service Recognition Book

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to place a ¼ page advertisement in the Royal Canadian Legion annual “Veteran’s Service Recognition Book” at a cost of \$295 (HST included).

Question called. Motion carried unanimously.

12-07-521 Municipalities Newfoundland & Labrador (MNL) - 2012 Annual Convention
Gander - October 4 - 6, 2012

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for Mayor Simms, Councillors Tessier, Walsh and Ledwell to travel in accordance with the Professional Development & Training Policy to the 2012 MNL Convention being held October 4 - 6 in Gander.

Discussion – It was noted that Councillor Stoyles will also be attending as she is a member of the MNL Board of Directors.

Question called. Motion carried unanimously.

12-07-522 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Apex Construction Specialties Inc. (Temporary Fencing Team Gushue Park)	\$ 6,497.51
2.	Bae-Newplan Group (Street Upgrading 2011)	\$ 27,107.21
3.	Canadian Playground Safety Institute (Parks Safety Training)	\$ 7,534.84

4.	City of St. John's (Regional Fire Service July 2012)	\$ 334,312.24
5.	Crown Contracting Inc. (Street Crack Sealing)	\$ 18,012.14
6.	Johnson Incorporated (Actuarial Consulting - Retirement Benefits)	\$ 7,345.00
7.	Kelloway Construction Ltd. (Cleaning services May 2012)	\$ 11,959.16
8.	Kelloway Construction Ltd. (Cleaning services June 2012)	\$ 11,959.16
9.	Lighting & Traffic Systems Ltd. (Traffic signal maintenance service calls, May)	\$ 6,205.55
10.	Lighting & Traffic Systems Ltd. (Release of Holdback CP2 Bruce/Glencoe/Thomas Byrne/Topsail Road Traffic Lights)	\$ 13,295.13
11.	Maple Leaf Gold Arena Products (Nautice Ice Deck Glacier Arena)	\$ 138,372.80
12.	Modern Paving Limited (2011 Street Upgrading CP1 Progress Claim 2)	\$ 451,686.59
13.	Municipal Assessment Agency (Assessment Fees 3rd Quarter)	\$ 71,064.50
14.	Newfoundland Hardwoods (Poles for Netting - Men's Softball Field)	\$ 19,040.50
15.	Pinnacle Office Interiors Limited (Office furniture for MEO Officers)	\$ 6,232.98
16.	Saunders Equipment Ltd. (Vehicle Fleet Maintenance)	\$ 7,031.79
17.	Paul Stroud (Maintenance on Masonry Block Walls)	\$ 11,074.00
	Total	\$ 1,148,731.10

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

12-07-523 Mount Pearl – Paradise Chamber of Commerce
 Request for Volunteer Board Committee

Council was advised that the Chamber has placed a notice for Volunteer Board Committee members for their various committees. It was noted that there may be members of the public who have an interest in becoming involved in the business community by volunteering on a committee that is of particular interest to them or suits their skills and talents.

12-07-524 AbbyShot Clothiers' Tenth Anniversary Celebrations
Wednesday, July 18, 2012

Congratulations were extended to AbbyShot Clothiers on their tenth anniversary.

ENGINEERING SERVICES COMMITTEE

12-07-525 Multiplex – Construction Update

An update on the multiplex project was provided including information on parking changes both for the Reid Community Centre and Pearlgate Track & Field Facility. It was suggested that information on parking be provided to users of the facilities, i.e. Minor Hockey, Skating Club, as well as to renters of the Track & Field Complex.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

12-07-526 Request for Extended Fence Height
41 Spruce Avenue

Motion – Councillor Ledwell/Deputy Mayor Locke

RESOLVED THAT the application for a 7-foot fence height for 41 Spruce Avenue be approved, with the fence height to be tapered towards the area where it joins with the rear yard fence.

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

12-07-527 Report Regarding Survey of Properties in Mount Pearl
Re Disrepair and/or Grounds Not Maintained

Council was advised that a survey was completed of the residential properties throughout the City to determine their lawn maintenance standards and overall condition.

12-07-528 Proposed Subdivision of Land – DA12-0517
219 Park Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the application to subdivide 219 Park Avenue be supported in principle and the following actions undertaken to accommodate the proposal:

1. a Land Use Redesignation through a Municipal Plan Amendment process is required;
2. when the Amendment process is complete, the continuance of the review of this Subdivision Application proceed; and

3. when the Subdivision Development Permit is issued, a second Development Permit application be required to accommodate the Change of Use from Single Detached Dwelling (Residential) to Place of Worship (Public), unless, of course, both the Subdivision and the Change of Use can be accommodated and reviewed on one permit.

Question called. Motion carried unanimously.

12-07-529 Application for Extension – 2 Dalton Avenue
Rear Yard Depth Variance and Minimum Flanking Street Side Yard Encroachment

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Development Application by the property owner for a proposed dwelling extension at 2 Dalton Avenue be approved and a Development Permit be issued subject to the following:

1. Inspections Services Division's conditions, and
2. Planning Services Division's conditions.

Question called. Motion carried unanimously.

12-07-530 Issuance of Order – for Confirmation
Re Classic Cars – 5 -7 Mount Carson Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Order issued to the property owner of 7 Mount Carson Avenue on July 18, 2012 be ratified.

Discussion: Council was advised that the owner has since made application for paving (two sides of property) and is considering further changes to the front piece of the property.

Question called. Motion carried unanimously.

12-07-531 Development Permit List

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Development Permit list for the period of July 9 - 20, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-07-532 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of July 9 - 20, 2012, showing a total construction value of \$32,636,283.00 be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

12-07-533 City Days

Members of Council extended appreciation to staff, volunteers and sponsors for a successful City Days event. Particular reference was made to the members of the organizing committee.

12-07-534 Newman Sound Men's Choir

Councillor Walsh extended congratulations to the Newman Sound Men's Choir on being named a world champion in the Men's Chamber Choir category at the 2012 World Choir Games in Cincinnati, Ohio.

12-07-535 Ruth Avenue School District Traffic Study

Councillor Walsh advised that the public will be provided another opportunity for input into the Ruth Avenue School District Traffic Study. A third session will be scheduled for September following the opening of school and any possible improvements would be delayed to October.

12-07-536 Team Gushue Complex – Site Improvements

In response to Councillor Walsh, it was noted that the site improvements at the Team Gushue Complex may have caused some inconvenience during the recent national tournament; however, the focus was to complete the access road not the upper parking lot.

12-07-537 Ban on Chinese Lanterns

Councillor Walsh advised that the Regional Fire Department has banned Chinese lanterns because of the hot, dry weather. The Department indicated that the high risk of fire associated with the lanterns means that the devices are now prohibited within the coverage area of the Department, which includes Mount Pearl. The devices, which resemble a small hot air balloon, are fuelled by a candle flame. They have an uncontrolled and unpredictable flight path and could land in trees, on roof tops or other combustible properties while still ignited.

12-07-538 Water Conservation Order

Councillor Walsh advised there was such an increase in water usage this past Sunday; Regional Water Authorities were concerned there was a major water main leak in Mount Pearl. He reminded residents that the Water Conservation Order is in effect (year round) and watering of lawns is restricted as follows:

1. Watering of lawns and gardens is restricted to the hours of 6:00 am to 8:00 am and 8:00 pm to 10:00 pm, two days per week, in accordance with the following schedule:
 - a. even street numbers on Wednesday and Saturday
 - b. odd street numbers on Wednesday and Sunday

Further information is available on the City's website. In addition, it was requested that the municipal enforcement officers inform residents who are not observing these restrictions.

12-07-539 Condolences – Hodge Family

Councillor Stoyles extended condolences to employee Willie Hodge and his family on the passing of his mother, Vera. Deputy Mayor Locke also noted his sympathy.

12-07-540 Cemetery Mass – Holy Sepulchre

Councillor Stoyles reminded residents of the Holy Sepulchre Cemetery Mass scheduled for this evening (July 24), noting the potential for traffic congestion.

12-07-541 Employee – Gordon Collins

Councillor Stoyles extended best wishes to employee Gordon Collins on his upcoming retirement. It was noted that Mr. Collins has worked with the City for over 34 years.

12-07-542 Tely 10 Mile Road Race

Councillor Stoyles acknowledged the number of staff who participated in the Tely 10 Mile Road Race.

12-07-543 Street Markings – Intersection Old Placentia Road/Smallwood Drive

In response to Councillor Aker, the Director of Infrastructure & Public Works advised of a pilot project using thermoplastic material to apply traffic markings at the above noted intersection. Material has been ordered and supplier will install which is anticipated to be by the end of August. It was noted that temporary line dabbing will be applied in the interim.

12-07-544 Appreciation – Brian Butt

Deputy Mayor Locke extended appreciation to Mr. Butt in recognition of his good deed at the Family Fun Day. (Mr. Butt provided extra propane to the organizers of the barbeque when they ran out!)

12-07-545 Ruth Avenue Transportation Study
Intersection Fourth Street/Ruth Avenue

Deputy Mayor Locke advised of a concern raised by a resident regarding the pedestrian-activated traffic lights at the above noted intersection. The resident would like to see these lights fully activated so that motorists would become familiar with having to regularly stop/go. Deputy Mayor Locke questioned whether it would be beneficial to erect a warning light when the traffic light was “red”.

12-07-546 Mount Pearl Marlins – Gavin Dyke

Deputy Mayor Locke extended congratulations to Gavin Dyke on his success at Swim Canada’s Summer National Competition.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:30 pm on a motion by Councillor Stoyles and seconded by Councillor Aker.

Chairperson

Deputy City Clerk