



**PUBLIC COUNCIL MEETING MINUTES
July 27, 2010**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 27, 2010 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

Gerard Lewis, CAO
Michele Peach, Director, Corporate Services
Stephen Jewczyk, Director, Planning & Development
Scott Lush, Director, Infrastructure & Public Works
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Councillor Paula Tessier

STAFF ABSENT

Ray Osmond, Director, Community Services

Mayor Simms chaired the meeting.

10-07-547 Adoption of Agenda

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-07-548 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT the minutes of the public meeting held on July 13, 2010 be adopted as presented

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

10-07-549 Branscombe's Pond
Waste Bags

It was noted that waste bags will be placed at various locations around the Branscombe's Pond boardwalk for the convenience of pet owners who are reminded to "clean up" after their pets.

10-07-550 Park Avenue

Council was advised that the preparatory work for the paving of Park Avenue is on schedule and it is anticipated that asphalt will be laid during the next couple of weeks subject to weather conditions.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None noted.

CORRESPONDENCE

10-07-551 Office of the Prime Minister

A letter was presented acknowledging receipt of the City's correspondence to Prime Minister Harper regarding Bill C-480, *An Act to Amend the Excise Tax Act (no GST on poppies or poppy wreaths)*.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

COMMUNITY SERVICES COMMITTEE

10-07-552 20 Minute Makeover

Council was advised that the 4th annual 20-Minute Makeover event held in May and June was a huge success. Residents, community groups and businesses rallied together to collect over 5,000 bags of garbage in an effort to keep Mount Pearl beautiful and litter free. Appreciation was extended to Tim Horton's for sponsoring the event.

10-07-553 East West North Summer Expo / City Days 2010

Council was advised that the Expo/City Days event was well attended (in excess of 15,000). Thank you to the residents of Mount Pearl for their attendance and support of these events. Special thanks to residents in the St. David's neighborhood for their patience and support in dealing with the large crowds and traffic. Appreciation was also extended to the staff of the Community Services and Infrastructure & Public Works Departments as well as the City Days Committee for their hard work and dedication in running these events.

It was acknowledged that a detailed report on the Expo event will be provided for Council's consideration via the Community Services Committee. Following this review and in recognition that 2010 was year three of a three-year contract, the future role of the Expo will be determined.

10-07-554 Upcoming Community Services Events

The Arts in the Park Series started on July 26 and will run on Monday evenings until August 16 at 7:00 pm in Centennial Park (beside City Hall).

The Community Services Department will hold an Outdoor Movie night at Centennial Park on August 12. Movie title will be announced at a later date.

Further details will be available on the City's website (www.mountpearl.ca).

10-07-555 MOU – Mount Pearl Y

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT approval be granted to release the second installment of the 2010 operating subsidy, in the amount of \$43,351.97, to the YMCA-YWCA of the Northeast Avalon in accordance with the MOU between the Y and the City.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

10-07-556 Tax Deferral – Low Income Earner
Roll # 3345-837-0-0180-000

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT approval be granted to defer taxes, in the amount of \$1,420.80, for roll # 3345837-0-0180-000, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

10-07-557 Tax Deferral – Low Income Earner
Roll # 3345-466-1-0320-000

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT approval be granted to defer taxes in the amount of \$968.48, for roll # 3345-466-1-0320-000, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

10-07-558 June 2010 Payment Register

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT the June 2010 payment register totaling \$1,696,887.00 be approved as presented.

Question called. Motion carried unanimously.

10-07-559 2010 Eastern Canadian Fastpitch Championship
Cody Basha

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT approval be granted to provide a \$100 donation to Cody Basha who is a member of the NL Bantam Fastpitch Team that will be representing Newfoundland at the Eastern Canadian Fastpitch Championship in Quebec being held August 26-29, 2010.

Question called. Motion carried unanimously.

10-07-560 Mount Pearl Chamber of Commerce
Annual Golf Tournament

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT approval be granted to enter a team, at a cost of \$500, in the 21st Annual Corporate Golf Classic (Chamber of Commerce) being held at the Glendenning Golf course on September 9, 2010 AND FURTHER

THAT if there are insufficient players for a team, approval be granted to sponsor a hole at a cost of \$125.

Question called. Motion carried unanimously.

10-07-561 Invoices for Approval

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	BAE-Newplan (Mount Carson Upgrade - Phase 1)	\$ 40,565.84
2.	City of St. John's (Robin Hood Bay Landfill Charges)	\$ 42,281.52
3.	Municipal Assessment Agency (Assessment Fees)	\$ 68,882.25
4.	City of St. John's (Water Consumption for June 2010)	\$ 133,925.81
5.	FFP Laser Systems (Laser Production East West North Summer Expo)	\$ 24,295.00
6.	Fabian James (Services - East West North Summer Expo)	\$ 5,650.00
7.	Sportsystems Canada (Bleacher System)	\$ 312,362.09
8.	The Royal Garage Ltd. (One Ton Pickup)	\$ 26,376.77
9.	Wonderbolt Productions (Buskers for East West North Summer Expo)	\$ 16,385.00
	TOTAL	\$ 670,724.28

Discussion: In response to Council, it was noted that the cost for the laser show represented three nights in Mount Pearl. It was also noted that there were various funding sponsors for the Expo.

Question called. Motion carried unanimously.

10-07-562 East West North Summer Expo
Corner Brook – July 22 – 25, 2010

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT approval be granted for Mayor Simms and Councillor Stoyles to attend the East West North Summer Expo taking place in Corner Brook from July 22 – 25, 2010.

Discussion: The Mayor represented the City of Mount Pearl and participated in the official opening ceremonies. Councillor Stoyles attended the Expo in accordance with the professional development & training policy.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

10-07-563 Change Orders: Glacier – CP2 and CP4

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the following change orders for the Glacier CP2 Interior and the Glacier CP4 Arena Expansion be approved as presented:

Change Order # 1 – Glacier CP2 Interior Fit-up

CCN#1 – Concrete Reinforcing of Bleachers \$ 3,877.50*

Change Order # 2 – Glacier CP2 Interior Fit-up

CCN #2 – Revised concrete finishing requirements	\$14,097.66
CCN #3 – Revisions to Lighting Fixtures	\$21,398.00
CCN #4 – Sub Surface Water Rev. – force acct. to date	\$80,995.70
CCN #5 - Revised steel framing at Ammonia line	\$ 2,424.40
CCN #6 - Modify first at overhead door	<u>\$ 2,255.00</u>
	\$50,179.44*

Change Order # 1 – Glacier CP4 Arena Expansion

CCN #1 – Supply new PHE Ammonia/Glycol
Condenser for new refrigeration skid \$27,500.00*

Total \$81,556.94*

* Plus HST

Question called. Motion carried unanimously.

10-07-564 Moores Holdings – Request for Release of Securities

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to release securities in the amount of \$85,447.88 to Moore Holdings.

Discussion: It was noted that a holdback of \$8,500 will be in place until the issue of compensation is resolved with respect to the installation of the section of a water main between Brookhaven Estates and Commonwealth Gardens.

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

10-07-565 Renumbering – Mount Carson Terrace Subdivision 5A
Revised Subdivision Development Agreement

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the Mayor and CAO to execute a revised subdivision development agreement reflecting the change in phasing number from Mount Carson Terrace Phase 5A to Mount Carson Terrace Phase 5.

Question called. Motion carried unanimously.

10-07-566 Municipal Plan Amendment # 78, 2010 and
Development Regulations Amendment # 202, 2010
1246 – 1260 Topsail Road
Public Hearing Date & Commissioner

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT pursuant to the Urban & Rural Planning Act, the Municipal Plan Amendment # 78, 2010 and Development Regulations Amendment # 202, 2010 be adopted AND FURTHER THAT Jodi Saunders be appointed as Commissioner for the public hearing scheduled for August 16, 2010 at 7:00 pm.

Discussion: This amendment is required to permit Council to consider a development application from Ron Fougere Associates for a proposed western extension of a building at 1246 – 1260 Topsail Road.

Question called. Motion carried unanimously.

10-07-567 6574262 Canada Inc. (ICUS)
Microbial Fermentation Facility – Discretionary Use
44 Clyde Avenue

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT an application to renovate and occupy the existing building at 44 Clyde Avenue to accommodate a microbial fermentation facility be approved and a development permit issued subject to the proposal meeting all federal and provincial regulatory authorities and the City's regulations.

Question called. Motion carried unanimously.

10-07-568 6574262 Canada Inc. (ICUS)
Microbial Fermentation Facility – Discretionary Use
14 Clyde Avenue – Property Address for New Building to be
Numbered 8 Clyde Avenue

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT an application to renovate and occupy a proposed new building (currently under construction) to be located at future civic address 8 Clyde Avenue, west of the existing building at 14 Clyde Avenue, to accommodate a microbial fermentation facility be approved and a development permit issued subject to the proposal meeting all federal and provincial regulatory authorities and the City's regulations.

Discussion: It was noted that the applications have been received and have now been approved for the proposal at 14 and 44 Clyde Avenue, however, the company has indicated that they intend to operate from one location only.

Question called. Motion carried unanimously.

10-07-569 Development Permit List

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the development permits issued for the period of July 10 - 23, 2010 be accepted as presented.

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

10-07-570 Building Permit List

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of July 10 - 23, 2010, showing a total construction value of \$3,479,000.00, be approved as presented.

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

NEW BUSINESS

10-07-571 Tely 10 Road Race

Councillor Aker acknowledged the participation of Mount Pearl residents in the recently held Tely 10 Road Race as well as three members of the Royal Newfoundland Regiment, Sgts. John Sloan, John Carew and Officer Cadet Harry Little who participated as a show of support for the Canadian Forces members still stationed in Afghanistan. Congratulations were extended to all.

10-07-572 Molson Provincial Senior Semi-Finals

Councillor Aker extended congratulations to the Mount Pearl Blazers who defeated the Pasadena Pirates to win the Molson Provincial Senior A semi-final series three games to one. The Blazers now advance to the Senior A finals against the St. John's Capitals. Mount Pearl plays St. John's next weekend (July 31-August1) at St. Pat's Ball Park in the first three games of the best four of seven game finals. Game four and games five to seven, if necessary, will be played on the August 7-8 weekend at Smallwood Drive Field in Mount Pearl. He encouraged residents to show their support for the Blazers.

10-07-573 Team Gushue Synthetic Turf International Soccer Field

Councillor Walsh advised that the official opening of the Team Gushue Synthetic Turf International Soccer Field is scheduled for 7:00 pm on July 29. He noted that representatives from the Provincial and Federal Governments will be in attendance.

10-07-574 Mass – Holy Sepulchre Cemetery

Councillor Stoyles reminded motorists that the Holy Sepulchre Cemetery mass was scheduled for this evening (July 27) and that traffic delays were possible.

10-07-575 East West North Summer Expo

Councillor Stoyles commented on the success of the Expo (both in Mount Pearl and Corner Brook) and City Days' events.

10-07-576 Hogweed

Councillor Lane asked that the Infrastructure & Public Works Committee consider a policy addressing protocol to remove hogweed on public and private properties. He also requested that the matter be referred to the Minister of Environment & Conservation.

10-07-577 "The Telegram" – Article

Councillor Lane spoke of the comments made by the City of St. John's City Manager in a recent Telegram article on the proposed development for a condo in the Brookfield Estates subdivision.

10-07-578 Statistics Canada – Long Form

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT a letter be forwarded to the City's Member of Parliament advising that Council supports the mandatory completion of the longer census form as the resulting data provides beneficial information for planning purposes.

Discussion: It was requested that this letter be copied to the FCM and MNL.

Motion to Defer: Councillor Lane requested that this motion be deferred to allow an opportunity to obtain further details on the type of information that would be lost as well as the associated costs.

Motion Failed – No Seconder

Question called. Motion carried with Councillor Lane voting against the motion.

10-07-579 Upgrading of Streets

In response to Deputy Mayor Locke, it was noted that streets are upgraded/paved during daylight hours for a number of reasons, those being – cost, safety, location, and climate.

10-07-580 Farrell Drive

Deputy Mayor Locke advised of a resident of Farrell Drive has difficulty exiting her driveway due to the location of the driveway and the speed of oncoming traffic. It was requested that the Infrastructure & Public Works Department review the property with consideration being given to erecting a mirror that would provide an improved line of sight for the property owner (similar to that in use in other municipal jurisdictions to improve sight lines).

10-07-581 Bicycles

Deputy Mayor Locke requested that the Community Services Committee consider the possibility of providing bicyclists with bells to alert walkers/joggers when using the trailway system.

10-07-582 East West North Summer Expo

Mayor Simms commented on the success of the Expo in Corner Brook, noting that he and Councillor Stoyles participated in various ceremonies and events. He noted that the location of their event is excellent and well laid out.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:15 pm on a motion by Councillor Stoyles and seconded by Councillor Aker.

Chairperson

Deputy City Clerk