



**PUBLIC COUNCIL MEETING MINUTES
June 11, 2013**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on June 11, 2013 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 of Community Services
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Councillor Paula Tessier

Mayor Simms chaired the meeting.

13-06-403 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

13-06-404 Adoption of Minutes

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on May 28, 2013 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

13-06-405 Proclamation – “Recreation Month”

Mayor Simms signed a proclamation declaring June as Recreation Month in the City of Mount Pearl in recognition of the benefits and values that recreation, parks and leisure services provide.

13-06-406 Snowplow Safety Contest

Information was presented on the Snowplow Safety Contest – the purpose of this contest was to create a name and design for a City snowplow that would promote safety awareness for children around large snowplows. The winner of the contest – Nathan Elliott, a grade 3 student of Newtown Elementary, was welcomed. Nathan’s winning entry – “SAFEY the Snowplow” was unveiled. It was noted that the official launch of the “SAFEY the Snowplow” program will take place in November.

CORRESPONDENCE

13-06-407 Letter – National Defence

A letter was presented from Lieutenant Commander Shannon Lewis-Simpson thanking Council for proclaiming Battle of the Atlantic Week as well as flying the naval jack during that week.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

New Item

13-06-408 Household Hazardous Waste Day

Council was advised that a report on the Household Hazardous Waste Day (held on June 8) would be available for the next meeting.

13-06-409 Bulk Garbage Collection

Council was advised that the amount of bulk garbage items collected for the first cycle of the year was significant. It was clarified that the protocol surrounding the

collection of renovation materials has been adjusted whereby smaller quantities (as long as safe, within the 50 lb limit, bundled/boxed, etc.) will be collected. It was suggested that consideration also be given to collecting concrete (under the 50 lb limit).

13-06-410 Grass and Leaf Collection

The public was advised that the pilot project of grass and leaf collection in the lower area of Park Avenue is ongoing and residents are availing of the opportunity to place their leaves and grass to the curb in the provided paper bags. Requests have been received from residents outside of the collection area to be included in the collection of leaves and grass products. In order to accommodate these residents, grass and leaves will be collected in areas outside of the test zone; however, they must be placed in clear garbage bags to the side of the garbage cart. This will allow the operators to see that the bags do not contain household garbage. It was clarified that bags collected (outside of the pilot area) will not be disposed off in the landfill.

13-06-411 Animal Refuse Bags

The public was advised that animal refuse bags/dispensers will be placed in key locations along the walkway system for the convenience of residents for cleanup when walking their pets.

13-06-412 Regional Water “Save A Drop” Campaign

Information was presented on the “Save a Drop” Campaign – an undertaking of the Regional Water Services Committee. The “Save a Drop” campaign is focused on educating residents about the importance of water conservation and how they can help ensure we have an adequate water supply, particularly through the summer months when usage increases. Further information is available on the City’s website and the www.saveadrop.ca website. An information brochure will be delivered to Mount Pearl households by early July.

It was requested that information (data analysis) on the use of residential water meters be provided to Council.

COMMUNITY SERVICES COMMITTEE REPORT

13-06-413 Duke of Edinburgh Program

The public was advised that the City was supporting the Duke of Edinburgh program again this year by providing canoes and kayaks for their expeditions. It was noted that there is a group of 31 Mount Pearl youth participating in the program.

13-06-414 Provincial Health & Wellness Initiatives
Grant Funding - \$10,000

The public was advised that the City was awarded a \$10,000 Provincial Health & Wellness Initiatives grant. The program is intended to promote community involvement in healthy, active lifestyles. This grant will support the project with emphasis on a wellness priority of physical activity.

13-06-415 Law Enforcement Torch Run
Special Olympics – June 14, 2013

The public was advised that the Law Enforcement Torch Run for Special Olympics will be taking place Friday, June 14. The runners and Special Olympians will be arriving at Mount Pearl City Hall at approximately 12:30/12:45pm.

13-06-416 Congratulations – Trent Langdon
2012 Barnes Award

Congratulations are extended to Trent Langdon for receiving the 2012 Barnes Award for outstanding professional development services at the Special Interest Council level of the NLTA. Trent is a member of the Mount Pearl Crime Prevention Committee and was a Finalist for Adult Volunteer at this year's Focus on Youth Awards.

13-06-417 Royal Newfoundland Regiment
Battle Fitness Test - T'Railway Route, June 16, 2013

The public was advised that the Royal Newfoundland Regiment will use the old rail bed - the T'Railway - within the boundaries of the City of Mount Pearl for a Battle Fitness Test (BFT) on Sunday, June 16 (morning).

13-06-418 City of Mount Pearl Fields
Sporting/Community Groups

The public was advised that many of the sporting and community groups utilize the City's facilities.

13-06-419 Basketball / Tennis Courts – Ruth Avenue
Upgrade Status

In the summer of 2012 a resurfacing of the basketball courts at Ruth Avenue took place. This initiative will continue in 2013 with a goal to resurface the tennis courts at Ruth Avenue and the basketball court on Park Avenue. The City has invested financial resources into the replacement of the tennis nets and poles at the tennis

complex. This investment will significantly enhance the facility and encourage usage of the courts and increase membership participation.

13-06-420 Pearlgate Track & Field
Upgrade Status

The track at Pearlgate Track and Field was relined in 2012 and work is ongoing to see upgrades to the long jump track this coming fall.

13-06-421 Reid Community Centre
Gymnasium Upgrades

It was noted that the basketball backboards at the Reid Community Centre Gymnasium have been upgraded.

13-06-422 Swimming Pool Initiatives

The public was advised that new initiatives at the Swimming Pool include the return of the Parents and Tots Swim Program as well as an array of Lifesaving Society courses to better enhance the swimming skills of our participants. These courses are designed to provide the fundamental skills necessary to succeed not only as swimmers, but as potential lifeguards.

13-06-423 Canada Day Celebrations

Canada Day Celebrations will take place on July 1, 12:00 noon – 3:00 pm, St. David's Field. Further details will be available on the City's website.

13-06-424 City Day Activities

City Day Activities will take place July 19 – 21, 2013. Further details will be available on the City's website.

CORPORATE SERVICES COMMITTEE

13-06-425 Request for Tax Consideration

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to exempt 2013 business tax, in the amount of \$4,347.31, for NL Employers Council, 129 Glencoe Drive, in accordance with Council's policy for non-profit organizations

Question called. Motion carried unanimously.

13-06-426 Invoices for Approval

Motion – Deputy Mayor Locke/Councillor Aker

1.	City of St. John's (Regional Fire Services - June 2013)	\$ 342,526.00
2.	Heating Products (1978) Limited (Kitchen Supply/Exhaust Fans for Reid Center)	\$ 6,717.85
3.	The Telegram (Various Ad Placements; Employment Opportunities, Amendments, etc.)	\$ 5,232.45
4.	Windco Enterprises Limited (Squires Softball Field - Re-work Old Netting to Fit Existing Pole Openings and Make Retractable)	\$ 6,770.96
	Total	\$ 361,247.26

Question called. Motion carried unanimously.

13-06-427 Municipal Election

The public was advised that the Municipal Election will be held on September 24, 2013 and were encouraged to check the City's website for information about the voters' list, candidate information, and other election details. It is also noted that cards will be forwarded to each household in early July asking voters to check the website to confirm that they are on the voters' list or if not, to notify the municipal election office to arrange for same. Residents who are unable to vote in the advance poll or on election day, can vote by proxy.

13-06-428 Appointment of Alternate Returning Officer

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT, in accordance with the Municipal Elections Act, the Director of Corporate Services be appointed the Alternate Returning Officer to perform the duties of the Returning Officer in the event the Returning Officer cannot perform those duties.

Question called. Motion carried unanimously.

13-06-429 Nomination Day

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to hold nomination day on August 29, 2013 between the hours of 8:00 am and 8:00 pm in the Sir James Pearl Room, City Hall.

Discussion: Candidates are requested to contact the Returning Officer to schedule an appointment.

Question called. Motion carried unanimously.

13-06-430 Advance Poll

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to hold the advance poll on September 14, 2013, between 8:00 am and 8:00 pm at City Hall.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

No report.

ENGINEERING SERVICES COMMITTEE

13-06-431 Water Conservation

Councillor Ledwell reminded residents that the Water Conservation Order is in effect on a permanent year-round basis. Watering times are restricted to the hours of 6:00 am to 8:00 am and 8:00 pm to 10:00 pm two days per week with even numbered houses assigned to Wednesday and Saturday and odd numbers to Wednesday and Sunday. Further details are available on the City's website.

13-06-432 Multiplex - Update

An update on the Multiplex construction was presented.

13-06-433 Tender – Playground Equipment

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the tender for the supply and delivery of playground equipment be awarded to the lowest, qualified bidder, Henderson Recreation Equipment Ltd., for the bid amount of \$85,823.50 (including HST).

Question called. Motion carried unanimously.

13-06-434 Tender – Traffic Calmers

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the tender for the supply and delivery of traffic calmers be awarded to the lowest, qualified bidder, be awarded to Traffic Logix, for the bid amount of \$17,289.00 (including HST).

Discussion: It was noted that consideration is being given to the locations (including Richard Nolan Drive) for the traffic calmers but the sites are not finalized.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

13-06-435 Bridger Design Associates Limited (on behalf of the International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers (IABSORIW) Application for New Building and Associated Site Work - 7 Kyle Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a development application by Bridger Design Associates Limited, on behalf of International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers (IABSORIW), to develop a new building and complete associated site work at 7 Kyle Avenue to accommodate a combined Commercial School, Office and General Industrial Use be approved and a development permit issued subject to the following conditions:

1. St. John's Regional Fire Department conditions;
2. Occupational Health and Safety's conditions;
3. City Inspector's conditions;
4. a controlled access agreement is required to ensure the site is not utilized as a thoroughfare between Kyle Avenue and Sagona Avenue;

5. a revised site plan will be required to be submitted clearly illustrating the additional 18 parking spaces required;
6. copies of the MSDS sheets for any hazardous substances on site to be submitted to the City;
7. the City requires the submission of the Landscaping Deposit of \$13,899.00;
8. Mapping Services Division recommends that the civic number and address “9 Kyle Avenue” be assigned to this new building;
9. Engineering Services conditions; and
10. the development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

13-06-436 Application for Single Family Detached Dwelling
14 Winston Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a development application by the property owner to construct a single family detached dwelling at 14 Winston Avenue be refused as it is in conflict with the City of Mount Pearl Municipal Plan 2010, General Policy 5.14 Flood Risk Areas, and contrary to the Mount Pearl Development Regulations 2010, General Development Standards 6.13 Flood Zones and 6.14 Flood Risk Corridor.

Question called. Motion carried unanimously.

13-06-437 Chatter Box Pre-School and Daycare Centre Inc.
Application for Change of Use (Group Child Care Use)
7A Commonwealth Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT an application by Chatter Box Pre-School & Daycare Centre Inc. to occupy a portion of the existing building at 7A Commonwealth Avenue as a Group Child Care Use be approved and a development permit issued subject to the following conditions:

1. a copy of the child care facility license is required to be forwarded to the City prior to the issuance of the Occupancy Permit;
2. the fence to be constructed shall be chain link and no fill be placed within the Flood Risk Corridor;
3. City Inspector conditions; and
4. the development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

13-06-438 Moffatt Road Subdivision Development – Phase 2
Status Report

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a development application for a proposed 23 lot residential subdivision (Phase 2 – Moffatt Road) as submitted by MAE Design Ltd., on behalf of Prospect Development Ltd., be approved and a development permit be issued subject to the following conditions:

1. delayed development of civic # 12 and #13 Truxtun Place until need for emergency access eliminated and Moffatt Road upgraded to City standards to connect with Wilkes Avenue;
2. east end of Wilkes Avenue shall be blocked off for through-traffic in accordance with Engineering Services Division requirements;
3. emergency access road shall be paved, maintained and snow cleared by developer;
4. submission of perimeter and master surveys required;
5. submission of approval drawings required;
6. submission of Environmental Assessment Reports (1 / 2) required for former commercial areas prior to commencement of construction;
7. the current plans for the open space area between Truxtun Place and Pollux Drive are considered a draft. The provision of a walkway, and the placement of 150 mm topsoil layer and sodding to the satisfaction of the City is required at minimum. Detailed walkway, planting and overall concept design, including the potential placement of a play structure, is to be finalized by the developer in coordination with the City and to the City's satisfaction. Upon development, the area is to be deeded over to the City according to standard process;
8. Moffatt Road Comprehensive Development Scheme goals, objectives and policies;
9. RSU-3 and OS Land Use Zone requirements;
10. Department of Environment & Conservation requirements;
11. Newfoundland Power conditions;
12. Canada Post conditions;
13. Finance Department requirements;
14. Community Services Department requirements;
15. Planning & Development Department requirements;
16. Engineering Services Division / Public Works & Infrastructure Department requirements; and
17. signing of a Subdivision Development Agreement.

Question called. Motion carried unanimously.

13-06-439 Battlefield Equipment Rentals / Beclin Buffer Status Report
Pearlview West Subdivision

Council was advised, further to previous discussions on this matter of the removal of the treed buffer in the Pollux Drive/Beclin Road area, an information meeting with area residents was held in the fall of the year. With weather having now improved again, meetings have been ongoing with the developers, Prospect Development, Battlefield Equipment Rentals, and representatives of the engineering firm they have retained, BAE Newplan, regarding the work required in relation to the buffer in this area.

The following course of action has been laid out for the Buffer and Open Space Development Pollux Drive – Moffatt Road – Beclin Road area:

1. Meeting. A meeting will be organized with area residents to discuss all open space plans for the area.
2. Southern portion of buffer. Installation of Privacy Fence and re-planting of trees and shrubs in the southern part of the buffer is required; this would be west of the existing tree line in rear of the existing residential properties fronting onto 21-33 Pollux Drive, and in rear of the Battlefield property fronting onto Beclin Road.
3. Northern portion of buffer. Development of an open space plan for the northern portion of the buffer, which is located east of Beclin Road, and west of the Moffatt Road Phase 1B development that is currently under construction; the plans and subsequent construction of the space will include the placement of a berm, development of a walkway and tree plantings. Detailed designs will need to be coordinated between City and developer (Prospect Development).
4. Walkway in between. The western most portion of the walkway between northern and southern portion of buffer will be relocated by City to meet walkway connection towards Beclin Road.
5. Open Space between Pollux Drive and Truxtun Place. With the commencement of the Moffatt Road Phase 2 development, this open space can now be developed. Detailed designs (e.g. location of walkway, potential placement of playground equipment) will be discussed, and coordinated between City and Developer.
6. Slopes facing Topsail Road. Sodding of remaining slopes facing Topsail Road will be undertaken by Prospect Development.

13-06-440 Development Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT development permits issued for the period of May 27 – June 7, 2013 be accepted as presented.

Question called. Motion carried unanimously.

13-06-441 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of May 25 – June 7, 2013, showing a total construction value of \$1,965,200.00, be approved as presented.

Question called. Motion carried unanimously.

13-06-442 Building Line Setback Variance for a Garage Extension
Residential Medium Density (RMD)
63 Sunrise Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a development application for a proposed 10 m² extension to the existing single detached dwelling at 63 Sunrise Avenue with a 7.3 m building line setback be approved subject to the City Inspector's conditions.

Question called. Motion carried unanimously.

NEW BUSINESS

13-06-443 Neighbourhood Watch Information Session

Deputy Mayor Locke commented on the recent Neighbourhood Watch information session organized by the Crime Prevention Committee and the RNC. He suggested that information on the program be included with the next tax billing mail out.

13-06-444 Hockey NL Annual Award Winners

Deputy Mayor Locke extended congratulations to members of the Mount Pearl Minor Hockey Association (Gonzo Bennett, Damian Ryan, Don Kelly and Derm Bishop) who recently received Hockey NL Annual Awards.

13-06-445 20 Minute Make Over – Family Fun Day

Members of council commented on the success of the Family Fun Day held on June 8 in celebration of June being Recreation Month and as a thank you to participants of the 20 minute makeover program. Appreciation was extended to sponsor, Tim Horton's.

13-06-446 25th Anniversary – Ross King Memorial Public Library

Members of council commented on the success of the 25th anniversary of the Ross King Memorial Public Library. Appreciation was extended to the current and past Board volunteers for their efforts.

13-06-447 Proposed Pearlview Phase 6 Rezoning

Councillor Aker advised that the issue of the proposed Pearlview Phase 6 Rezoning may possibly be addressed at the next public council meeting.

13-06-448 Green Team – Conservation Corps NL

Councillor Aker advised that there will be two Green Teams working in the City this summer. One will work in conjunction with the City and the other with the Mount Pearl-Paradise Chamber of Commerce.

13-06-449 Park Patrol

Councillor Aker suggested that members of the Park Patrol report issues of garbage they come across in the trails to the Infrastructure & Public Works Department.

13-06-450 Municipal Assessment Agency – “Clar Simmons Scholarship”

Councillor Stoyles reminded council and staff of the above noted scholarship offered by the Municipal Assessment Agency.

13-06-451 Note of Caution – Drivers

Councillor Stoyles reminded drivers to be aware of increased pedestrian traffic following the end of the school year.

13-06-452 FCM Board of Directors

Councillor Stoyles extended congratulations to Mayor Simms in recognition of his position on the FCM Board of Directors. The public was advised of an agreement between the three NL cities to rotate a member on the FCM Board every two years and it was now the turn for the City of Mount Pearl.

13-06-453 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the NEAJC will be holding their last meeting (until September) on June 19 hosted by the City of St. John's. Members of council wishing to attend should notify Councillor Sandra Baggs, Conception Bay South.

13-06-454 Property – Commonwealth Avenue/Francis Street

Councillor Walsh commented on items for sale that have been placed on the above noted property. He requested that that matter be investigated and action taken to have the items removed. It was noted that the City is currently in receipt of a development for this property.

It was also noted that there are items for sale on the property located at Brookfield Road/Old Placentia Road – property which is in City of St. John’s jurisdiction. It was requested that contact be made with the City of St. John’s to have the items removed.

13-06-455 Students

Councillor Walsh extended best wishes to students writing exams.

13-06-456 Campia Gymnastics

Councillor Ledwell extended congratulations to members of Campia Gymnastics for a successful year.

13-06-457 Mount Pearl-Paradise Chamber of Commerce

Councillor Ledwell extended congratulations to the Chamber on the launch of their new website (www.mtpearlparadisechamber.com) which was designed by John Atkins & Co., Mount Pearl. Particular reference was made to the business directory which will be available on their website.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:10 pm on a motion by Councillor Aker and seconded by Councillor Walsh.

Chairperson

Deputy City Clerk