



**PUBLIC COUNCIL MEETING MINUTES
June 15, 2010**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on June 15, 2010 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

STAFF PRESENT

Gerard Lewis, CAO
Michele Peach, Director, Corporate Services
Ray Osmond, Director, Community Services
Scott Lush, Director, Infrastructure & Public Works
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Councillor Paul Lane

STAFF ABSENT

Stephen Jewczyk, Director, Planning & Development

Mayor Simms chaired the meeting.

10-06-433 Adoption of Agenda

Motion – Councillor Tessier /Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-06-434 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT the minutes of the public meeting held on June 1, 2010 be adopted as presented

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

10-06-435 Newfoundland and Labrador Brain Injury Association

Council was advised that pledge sheets are available to anyone wishing to participate in the Brain Wellness Walk scheduled for June 27, 2010 from 2:00 pm to 5:00 pm at the Quidi Vidi Lake Walking Trail.

10-06-436 Speeding Vehicles – Jersey Avenue

Council was advised that consideration had been given to the installation of speed humps/bumps to address the issue of speeding vehicles on Jersey Avenue. It was noted that these devices have been known to cause problems for emergency response vehicles as well as snowclearing implications. At this time, the matter is being addressed through enforcement of the speed limit, i.e. increased patrols and issuing of speeding tickets.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

10-06-437 Recreation Month

Mayor Simms signed a proclamation declaring June as Recreation Month in the City of Mount Pearl. Councillor Walsh highlighted the City's recreational programs and facilities as well as referenced the Sport Alliance, Team Gushue Sports Complex and the (proposed) new Pearlgate Recreation Multiplex. Appreciation was extended to Community Services staff as well as the volunteers who assist with running the various programs.

CORRESPONDENCE

10-06-438 M.H.A. Steve Kent

A letter was presented from M.H.A. Steve Kent congratulating the City on being selected as the winner in the *Municipality or Regional Waste Management Committee* category for the 21st NL Environmental Awards.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

10-06-439 Royal Canadian Legion
Battle of Beaumont Hamel Ceremonies

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT a request from the Royal Canadian Legion to hold their annual parade and wreath laying ceremony on July 1, 2010 be approved in accordance with the specified parade route.

Question called. Motion carried unanimously.

10-06-440 Tender – Road Salt

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the tender for the supply and delivery of road salt be awarded to the lowest, qualified bidder Avalon Coal & Salt in the amount of \$95.21/metric ton.

Question called. Motion carried unanimously.

10-06-441 Quotation – Chain Link Fencing

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the quotation for the supply and delivery of chain link fencing at the following locations be awarded to the sole bidder, Provincial Fence Products, for the amounts indicated:

Tennis Court (Westminster Drive)	\$1,900*
MacCarthy Crescent (walkway between 32 & 34)	\$4,500*
MacCarthy Crescent (repair to existing chain link fence)	\$ 450*

*plus HST

Question called. Motion carried unanimously.

10-06-442 Tender Call – Co-Mingle Compactor

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the tender for the supply and delivery of a co-mingle compactor be awarded to the sole bidder, Saunders Equipment, in the amount of \$285,979.27 (HST included) for the specified options.

Question called. Motion carried unanimously.

COMMUNITY SERVICES COMMITTEE

10-06-443 St. John Ambulance (Mount Pearl Division) – Operating Grant

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted (in accordance with the current Memorandum of Understanding) to release the 2009 operating grant, in the amount of \$2,000.00, to the Mount Pearl Division, St. John Ambulance.

Discussion: Council was advised that the organization has requested an increase in funding. It was noted that the Director of Community Services will meet with their representatives to discuss their request.

Question called. Motion carried unanimously.

10-06-444 Quotation – Audio Visual Equipment

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the quotation for the provision of audio visual equipment for City Days be awarded to Atlantic Audio Visual, the lowest qualified bidder, in the amount of \$11,819.80 (HST included).

Question called. Motion carried unanimously.

10-06-445 Admiralty House – Operating Grant and Grounds Maintenance

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to release the final installment of the 2010 operating grant as well as additional funding for staff costs associated with grounds maintenance, respectively in the amounts \$18,750 and \$10,300, to the Admiralty House Board of Management.

Question called. Motion carried unanimously.

10-06-446 Celebrate Canada Program – Canadian Heritage (Canada Day)

Council was advised of approval of a Canadian Heritage grant in the amount of \$1,400 for the Celebrate Canada Program (Canada Day, July 1).

10-06-447 Student Works & Service Program (SWASP) for 2010

Council was advised that the Department of Community Services received approval for a student under the Student Works & Service Program

(SWASP) for one position for an eight week period for a contribution of \$1,400 from Human Resources, Labour & Employment.

10-06-448 Swimming Pool Closure – Roof Repairs

The public was advised of roof repairs at the Swimming Pool that will result in its closure on June 28 and 29, 2010. It is anticipated that it will reopen on June 30, 2010.

10-06-449 Recreation NL Awards

Congratulations were extended to Gerard Philpott, Facility Maintenance Supervisor, and the Mount Pearl Special Olympics on being awarded the Recreation NL Cy Hoskins Memorial Award and the Bridging the Gap Award respectively.

CORPORATE SERVICES COMMITTEE

10-06-450 Tax Consideration

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to exempt 2010 business taxes in accordance with Council's policy for charitable and non-profit organizations as follows:

Name	Address	Type	Annual Amt
Safety Services NL	1076 Topsail Rd	Business (100%)	\$2,531.17
Terry Fox Foundation	835 Topsail Rd	Business (100%)	\$505.36

Question called. Motion carried unanimously.

10-06-451 Tax Deferral – Low Income Earner
Roll # 3345-551-0090-000

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to defer taxes in the amount of \$1,017.50, for roll # 3345-551-0090-000, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

10-06-452 Donation
St. Peter's Parish
14th Annual Golf Tournament

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to provide a \$100 donation in support of the St. Peter's Parish golf tournament being held on July 12, 2010.

Question called. Motion carried unanimously.

10-06-453 Donation
Boys Under-16 Provincial Soccer Team
National Tournament

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to provide a \$200 donation to the Boys Under 16 Provincial Soccer Team in support of the three Mount Pearl players on this team who will be attending a national tournament in Quebec.

Question called. Motion carried unanimously.

10-06-454 Donation
Sport Alliance
11th Annual Golf Tournament

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to enter a team, at a cost of \$500, in the Annual Sport Alliance Golf Tournament taking place on July 15, 2010 at the Admiral's Green Golf Course.

Question called. Motion carried unanimously.

10-06-455 Donation
Law Enforcement Torch Run

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT approval be granted to provide a \$100 donation in support of the Law Enforcement Torch Run for the NL Special Olympics.

Discussion: It was noted that the participants visited City Hall on Friday June 11, 2010.

Question called. Motion carried unanimously.

10-06-456 Invoices for Approval

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Bae Newplan Group Limited (Pearlgate Recreation Centre)	\$ 457,607.63
2.	City of St. John's (2009 Operating Deficit Regional Fire)	\$ 130,038.30
3.	Gaze Seed Limited (Grass Seed & Overseeding Playfields)	\$ 6,525.75
4.	Henderson Recreation Equipment Limited (Playground Structure Replacement Component)	\$ 50,624.00
5.	Knecht & Berchtold Inc. (Dish Planters)	\$ 24,357.15
6.	United Rentals (Electronic sign and speed monitor)	\$ 20,641.71
7.	Woodrow Bessey (St. David's and Squire Field - Nets & Lights)	\$ 10,088.00
	TOTAL	\$ 699,882.54

Question called. Motion carried unanimously.

10-06-457 May 2010 Payment Register

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the May 2010 payment register totaling \$2,158,533.43 be approved as presented.

Question called. Motion carried unanimously.

10-06-458 Government Gas Tax Funding Agreement

Council was advised that the Local Government Gas Tax Funding Agreement has been amended with a few changes. The project completion date for the first round of funding has been extended from March 31, 2010 to March 31, 2015. As well, beginning in 2011, the filing date of the Annual Expenditure Report will be March 31 instead of June 30. Also beginning in 2011, annual training in the administration of the Gas Tax Agreement will be

mandatory for each municipality and must include one representative from administration and one elected official.

The most significant of the amendments is one allowing municipalities to use their gas tax funds as their share of municipal infrastructure or for projects to improve drinking water quality, waste water quality or projects undertaking regional cooperation initiatives.

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the Amended Government Gas Tax Funding Agreement be executed by the Mayor and CAO.

Discussion: Council extended appreciation to the provincial and federal governments on this initiative.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

No report.

PUBLIC WORKS COMMITTEE

No report.

ENGINEERING SERVICES COMMITTEE

10-06-459 2010 Street Upgrading Program (CP-2)
Tender

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the 2010 Street Upgrading Program to the low bidder, Modern Paving, for the bid amount of \$1,463,674.00, subject to completion of the bid review by BAE-Newplan and approval from the Department of Municipal Affairs.

Discussion: The list of streets being upgraded can be found on the City's website (www.mountpearl.ca).

Question called. Motion carried unanimously.

10-06-460 Donovan Homes – Release of Security
Mount Carson Terrace Phase 2

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT adequate security be held from the current letter of credit for Mount Carson Terrace Phase 2 to complete the following deficiencies:

- i. Record drawings need to be updated to reflect the storm pipe location at the rear of 12 Dunluce Crescent;
- ii. The bank area located on the south side of Dunluce Crescent between the rear yards and Mount Carson Manor (seniors home) at 16 Mount Carson Avenue requires another application of hydro-seeding;
- iii. The pole brace at the rear of 12 Dunluce Crescent is to be removed.

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

10-06-461 Mount Pearl Municipal Plan Amendment No. 77, 2010
And Development Regulations Amendment No. 200, 2010
Re-designation and Rezoning Amendment
5 Centennial Street

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Mount Pearl Municipal Plan Amendment No: 77, 2010 and Development Regulations Amendment No: 200, 2010 (5 Centennial Street) be adopted AND FURTHER THAT George Trainor be appointed as Commissioner for the public hearing scheduled for July 6, 2010 at 7:00 pm at Mount Pearl City Hall.

Discussion: The amendment is a result of an application from Mr. Wilkins, owner of the property and operator of “Wilkin’s Automotive Repairs” to re-designate and rezone the property defined as #5 Centennial Street. Mr. Wilkins is interested in the amendment in order to facilitate an expansion to the building. Rezoning to MD would provide more space on the property to construct the addition to the building.

Question called. Motion carried unanimously.

10-06-462 Recommendation for Order
Damaged Landscaping – 46 Wellington Crescent

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to issue an Order to repair the damaged landscaping to the property owner of 46 Wellington Crescent.

Discussion: It was questioned whether this was a rental property. It was reiterated that regardless of who lives in the dwelling, landlords are responsible for maintaining their property.

Question called. Motion carried unanimously.

10-06-463 New Building and Site Development – Discretionary Use Application
Summit Builders Ltd. (St. John Ambulance)
8 Thomas Byrne Drive

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT an application, from Summit Builders Ltd., on behalf of St. John Ambulance, for the construction of a 994 m² two storey building and associated site developments at 8 Thomas Byrne Drive (Lot #24) to accommodate a combined office and training centre be approved and a conditional development permit issued subject to the following conditions:

1. Newfoundland Power's requirements.
2. St. John's Regional Fire Department requirements.
3. Final approval of June 1, 2010 drawing submission by Engineering Services Division.
4. Government Services Centre approval.
5. Inspection Services requirements.
6. Planning Services requirements.
7. The development meeting the City of Mount Pearl Development Regulations, 1988 and LI Land Use Zone development standards.

Question called. Motion carried unanimously.

10-06-464 Hillside Subdivision Development – Phase 1A
Cynergy Executive Properties

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the Mayor and CAO to execute the Hillside Subdivision Development Phase 1A Subdivision Development Agreement.

Question called. Motion carried unanimously.

10-06-465 Development Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the development permits issued for the period of May 15 – June 11, 2010 be accepted as presented.

Question called. Motion carried unanimously.

10-06-466 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of May 29 – June 11, 2010, showing a total construction value of \$1,603,500.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

10-06-467 Blundon (Math) Contest

Councillor Tessier extended congratulations to Brian Peach, the recipient of the W.J. Blundon (Math) Contest. Brian is a Level III student of O'Donel High School as well as the 2009 Male Youth of the Year. It was requested that a letter of congratulations be forwarded to Brian from the Mayor's office.

10-06-468 Reminder to Motorists

Councillor Tessier reminded motorists to be cautious when driving through the various areas of the City where repairs/upgrading are ongoing.

10-06-469 Law Enforcement Torch Relay

Deputy Mayor Locke extended appreciation to all participants (as well as staff) in the 2010 Law Enforcement Torch Relay. He noted that he greeted the participants on their stop in Mount Pearl.

10-06-470 Intersection of Old Placentia Road/Smallwood Drive

Deputy Mayor Locke raised an issue of sight impairment when vehicles are turning left onto Smallwood Drive from Old Placentia Road. He encouraged motorists to pay due diligence when driving in this area.

10-06-471 Walkways/Debris

Deputy Mayor Locke reminded residents that it is against regulations to dispose of debris (such as renovation materials) in the City's walkways/trails.

10-06-472 Town of Torbay

Councillor Stoyles welcomed the CAO/Town Clerk (Dawn Chaplin) of the Town of Torbay to the Council Chambers. She also extended congratulations to the Town on the release of their Community Profile.

10-06-473 Girl Guides of Canada (Sparks)

Councillor Stoyles advised that she recently accompanied a group of Sparks on a tour of City Hall.

10-06-474 Staff – Reid Community Centre

Councillor Stoyles extended appreciation to the Reid Community Centre for coordinating three fundraising walks that occurred at the same time on Sunday, June 14, 2010.

10-06-475 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the last meeting of the NEAJC, prior to the summer break, is scheduled for this evening (June 15) at City of St. John's City Hall.

10-06-476 Condolences – O'Keefe Family

Councillor Walsh extended condolences to the O'Keefe family on the passing of Mrs. O'Keefe's brother, Walter.

10-06-477 Condolences – Mitchum Family

Councillor Walsh extended condolences to the Mitchum family and friends on the passing of their son/brother/friend, Colton. It was noted that City staff will be working with the family and friends of Colton for the placement of a plaque in Colton's memory at the new Skatepark.

10-06-478 Retirement – Mike Sutton, Principal, O'Donel High School

Councillor Walsh extended congratulations to Mr. Sutton on his upcoming retirement as Principal of O'Donel High School. It was requested that a letter of congratulations be forwarded to Mr. Sutton from the Mayor's office.

10-06-479 Jennifer Lythgoe

Councillor Walsh advised of an event planned for Saturday, June 19, 2010, to celebrate the life (and in memory) of Jennifer Lythgoe. The event will be held at the Reid Community Centre.

10-06-480 Regional Water

Councillor Walsh advised that the Regional Water Committee is taking measures to avoid a water ban this year. He noted that the water conservation order is in place year round. Further information is available on the City's website.

10-06-481 CBC Soccer Nation Festival

Councillor Aker advised that on June 19 and 20 (10:00 am – 5:00 pm) the CBC Soccer Nation festival kicks off at the Team Gushue Sports Complex. Further information is available on the City's website.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:20 pm on a motion by Councillor Tessier and seconded by Councillor Stoyles.

Chairperson

Deputy City Clerk