



PUBLIC COUNCIL MEETING MINUTES
March 19, 2013

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 19, 2013 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 ⁽¹⁾
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director of Community Services
Mona Lewis, Deputy City Clerk

⁽¹⁾ Arrived when noted.

Mayor Simms chaired the meeting.

13-03-177 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

13-03-178 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on March 5, 2013 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

13-03-179 Proclamation – “Nutrition Month”

Mayor Simms signed a proclamation declaring March as Nutrition Month in the City of Mount Pearl. Nicole Penton, a Registered Dietitian, provided information on Nutrition Month.

13-03-180 Proclamation – “Volunteer Week”

Mayor Simms signed a proclamation declaring April 21 – 27, 2013 as Volunteer Week in the City of Mount Pearl. Bernard Davis, Volunteer Week Chair, provided information on Volunteer Week. Also in attendance were Jackie Dolomont, Vice Chair; Pam Corrigan and Jennifer Grudic, Community Sector Council NL.

13-03-181 Proclamation – “Purple Day for Epilepsy”

Mayor Simms signed a proclamation declaring March 26, 2013 as “Purple Day” in the City of Mount Pearl in an effort to raise the awareness and understanding of epilepsy and to support all those who live with seizures each day.

The Director of Planning & Development arrived at 4:35 pm.

13-03-182 Presentation – Queen’s Diamond Jubilee Medals

Mayor Simms welcomed Keith Arns, representing the Canadian Association of Municipal Administrators, who proceeded to present former CAO, Gerard Lewis, with a Queen’s Diamond Jubilee Medal. Mr. Lewis was nominated and selected in recognition of his contribution to municipal government.

Mayor Simms presented the City’s current CAO, Michele Peach, with a Queen’s Diamond Jubilee Medal. Ms. Peach was nominated and selected in recognition of her work with the Federation of Canadian Municipalities.

Congratulations and appreciation was extended to both recipients.

CORRESPONDENCE

13-03-183 NL Hydro

A letter was presented from NL Hydro providing information on its Generation Contingency Plan as a result of one of the three generating units being out of service at the Holyrood plant.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE REPORT

13-03-184 Tender for Tandem Plough Trucks

Motion – Councillor Walsh/Councillor Tessier

RESOLVED THAT approval be granted to award the tender for the supply and delivery of two (2) tandem plough trucks with pre-wet to the lowest, qualified bidder, Western Star Trucks, in the amount of \$476,220.42.

Question called. Motion carried unanimously.

13-03-185 Public Works Division (Update)

The Public Works Division is gradually moving from the winter program into the spring and summer work schedule. A list of damages sustained as a result of snow clearing efforts is being compiled and repairs will commence as soon as weather permits and materials become available. Crews are continually repairing potholes throughout the city and residents are encouraged to report any areas of concern to the Public Works office (telephone 748-1016 or via email wrees@mountpearl.ca)

COMMUNITY SERVICES COMMITTEE REPORT

13-03-186 Campia Gymnastics Results

Congratulations are extended to Campia gymnasts and coaches who participated in the 2013 Titans Invitational in Nova Scotia on March 2.

CORPORATE SERVICES COMMITTEE

13-03-187 Requests for Tax Consideration

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to exempt 2013 business taxes in accordance with Council's policy for nonprofit organizations for the following:

Name	Address	Type	Annual Amt
Campia Gymnastics	60 Clyde Avenue	Business (100%)	\$3,738.00
VOCM Cares	1199 Topsail Road	Business (100%)	\$1,024.83
SPCA	162 Park Avenue	Business (100%)	\$1,902.13

Question called. Motion carried unanimously.

13-03-188 Professional Development/Training – Director of Infrastructure & Public Works International Public Works Congress and Exposition

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for the Director of Infrastructure & Public Works to attend the International Public Works Congress and Exposition being held in Chicago, IL from August 25-28, 2013.

Question called. Motion carried unanimously.

13-03-189 Professional Development/Training – Councillor Lucy Stoyles Social Fresh East Conference

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Councillor Stoyles to attend the Social Fresh East Conference being held in Tampa, Florida from April 18 – 19, 2013.

Question called. Motion carried unanimously.

13-03-190 Resolution Federation of Canadian Municipalities Election to the Board of Directors

The public was advised of an agreement between the three NL cities to rotate the membership on the FCM Board every two years. It is now the turn of the City of Mount Pearl to nominate a member for the Board.

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following resolution endorsing Mayor Simms to serve on the FCM Board of Directors as the representative of the NL cities be approved:

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

WHEREAS FCM's 76th Annual Conference and Trade Show will take place May 31 – June 3, 2013, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

BE IT RESOLVED that the Council of the City of Mount Pearl endorse Mayor Randy Simms to stand for election on FCM's Board of Directors for the duration of the term; and

BE IT FURTHER RESOLVED that Council assumes all costs associated with Mayor Randy Simms attending FCM's Board of Directors meetings.

Question called. Motion carried unanimously.

13-03-191 Invoices for Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Afonso Group Limited (Water Sampling - February 2013)	\$ 6,723.50
2.	Afonso Group Limited (CP1 & CP2 Video Inspections Sewers 2012 Program)	\$ 9,067.31
3.	Arena Board of Management (Facility Rental for 2013 Frosty Festival)	\$ 10,000.00
4.	Avalon Coal, Salt & Oil Ltd. (Road Salt)	\$ 257,003.41
5.	City of St. John's (Water Consumption February 2013)	\$ 231,875.06
6.	City of St. John's (Regional Fire Service Jan, Feb & Mar 2013)	\$ 1,027,578.00
7.	City of St. John's (Robin Hood Bay Landfill Usage January 2013)	\$ 37,756.33
8.	Grand Concourse Authority (Contribution to Operating Overhead 2013)	\$ 8,234.03
9.	Kelloway Construction Ltd. (Cleaning Services February 2013)	\$ 11,959.16

10.	Lighting & Traffic Systems Ltd. (Traffic Maintenance January 2013)	\$ 8,638.31
11.	McInnes Cooper (Additional Mechanical Work - Glacier Arena Expansion)	\$ 7,658.16
12.	OnX Enterprise Solutions (IT Equipment and Support)	\$ 5,971.33
13.	Terra Nova Motors Limited (Replacement Vehicle for Unit 576)	\$ 25,662.30
	Total	\$ 1,648,126.90

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

13-03-192 Multiplex - Update

An update on the Multiplex construction was presented.

13-03-193 Softball Building Update

An update on the softball building construction was presented.

13-03-194 Tender – Manufacture and Supply of Waste Containers

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the manufacturing and supply of waste containers to the lowest qualified bidder, Wastequip, for the bid amount of \$20,362.60 (HST included).

Question called. Motion carried unanimously.

13-03-195 Tender – Turf Maintenance Material (Fertilizer, Lime and Seed)

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the supply and delivery of turf maintenance material (fertilizer, lime and seed) to the lowest qualified bidder, EastChem (NL) Inc., for the bid amount of \$34,076.84 (HST included).

Question called. Motion carried unanimously.

13-03-196 Tender – Ornamental Nursery Stock, Trees and Shrubs

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the supply and delivery of ornamental nursery stock, trees and shrubs to the lowest qualified bidder, Gaze Seed Co. (1987) Ltd. (NL) Inc., for the bid amount of \$10,625.67 (HST included).

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

13-03-197 Application for Proposed Billboard
Pattison Outdoor - 15 Old Placentia Road

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a development application by Pattison Outdoor Advertising to erect two side-by-side illuminated double sided billboard signs on the property at 15 Old Placentia Road be approved and a development permit be issued subject to the following conditions:

1. requirements of the City of Mount Pearl Development Regulations,
2. conditions expressed by the City Inspector,
3. conditions expressed by the Engineering Services Division of the Department of Infrastructure and Public Works,
4. conditions expressed by Bell Aliant, and
5. submission and approval of detailed site plan prior to any building permits being issued.

Question called. Motion carried unanimously.

13-03-198 Earth Hour – 2013
March 23, 2013, 8:30 – 9:30 p.m. Newfoundland Time

Information was presented on Earth Hour, a one-hour period when the world will turn off its lights to show it is possible to take action on climate change. Switching off your lights is one simple action that you can take to help make a difference and to send a message that we care about our planet. Everyone can play an important role to play in the fight against climate change. Residents were encouraged to participate in Earth Hour 2013.

13-03-199 Notice of Motion
 Amendment – Mount Pearl Development Regulations 2010

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 text of the Mount Pearl Development Regulations 2010 that, if enacted, will amend the IL Use Zones Table as follows:

In Section 11.19.5 – ‘Landscaped Front Yard’,

*The front yard shall be a minimum of ten metres (10 m) from the street line, to be used for nothing other than landscaping, outdoor display court, permitted access, driveways and **identification** sign.*

delete the word “identification” and replace with the word “permitted”, the section then to read:

*The front yard shall be a minimum of ten metres (10 m) from the street line, to be used for nothing other than landscaping, outdoor display court, permitted access, driveways and **permitted** sign.*

The purpose of this amendment is to provide Council with the authority to permit identification, freestanding and billboard signs in the landscaped front yards within the IL Use Zones.

13-03-200 Development Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT development permits issued for the period of March 4 - 15, 2013 be accepted as presented.

Question called. Motion carried unanimously.

13-03-201 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of March 2 - 15, 2013, showing a total construction value of \$375,000.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

13-03-202 Damaged Property

Deputy Mayor Locke commented on City property, i.e. benches and garbage receptacles, that's been damaged due to snow clearing activities. It was requested that consideration be given to relocating/removing the items prior to the winter season. (Referred to Public Works Committee)

13-03-203 Mount Pearl Marlins – Swim for Hope Fundraiser

Deputy Mayor Locke, along with other members of Council, extended congratulations to the Marlins Swim Club on a successful fundraiser in support of the Dr. H. Bliss Murphy Cancer Care Foundation and the swim clubs that are members of Swimming NL.

Councillor Aker extended appreciation to Youth Ambassador Adam Keating for his assistance with the “boat building” component of the Swim for Hope.

13-03-204 Pedestrian Activated Traffic Light – Topsail Rd (Mary Queen of the World School)

Councillor Tessier commented on reports of drivers proceeding through the red light when the above noted traffic light has been activated by a pedestrian. She highlighted the obvious dangers of this situation and reminded drivers to be more responsible and drive with care and caution. She noted that the traffic calmer and speed monitor sign will be put in use when weather conditions improve.

13-03-205 Citizen of the Year

Councillor Aker advised that the Citizen of the Year Banquet will be held on April 20 and he, along with Councillor Stoyles, encouraged nomination submissions from the various groups as well as residents.

13-03-206 Environmental Assessment Bulletin

Councillor Aker commented on the Environmental Assessment Bulletin released by the Department of Environment & Conservation regarding a proposal to operate a facility for the decontamination and temporary storage of tubular containing Naturally Occurring Radioactive Material (NORM) at Atlantic Inspection Services Inc., at 138 Clyde Avenue. It was noted that the company has not submitted a development application to the City.

The deadline for public comment to the Department of Environment & Conservation is April 17, 2013. In accordance with the City's procedures, the referenced notice will be circulated to City Directors for commentary as well as the

registered property and business owners within a minimum distance of 150 m of the proposed location. The letter shall request that a copy of any written responses to the Department be forwarded to the City.

Reference was made to a similar application made to Council in 2002 that was subsequently refused.

13-03-207 Lieutenant Governor

Councillor Stoyles extended congratulations to the new Lieutenant Governor, Frank Fagan, and wished him well during his term of office.

13-03-208 Church of the Good Shepherd

Councillor Stoyles advised that the Church of the Good Shepherd resumed its weekly community lunch (free of charge) on Wednesday, March 6, 12:00 noon. She noted the success of the program.

13-03-209 Snow Clearing Regulations – On Street Parking

Councillor Stoyles noted that the “on street” parking ban will be lifted as of midnight on March 31; however, no vehicle is permitted to be parked on any street during a storm and for 12 hours thereafter.

13-03-210 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the monthly NEAJC meeting is scheduled for March 20 in the Town of Conception Bay South. In addition, the group will be holding a strategic planning session on March 23 from 9:00 – 12:00 in the Mount Pearl City Hall.

13-03-211 “Best Wishes”

Councillor Stoyles extended best wishes to Deputy Mayor Shannie Duff (City of St. John’s) in recognition of her upcoming surgery.

13-03-212 Congratulations

Councillor Stoyles extended congratulations to Gerard Lewis and Michele Peach on receiving the Queen’s Diamond Jubilee Medal.

13-03-213 Mount Pearl-Paradise Chamber of Commerce
Mayor of Paradise – Outlook Lunch

Councillor Walsh commented on the Chamber’s “Outlook Lunch” held today’s date in the Town of Paradise by Mayor Ralph Wiseman. He extended

congratulations to Mayor Wiseman and noted the continued growth and prosperity of the community.

13-03-214 Snowclearing Regulations – Throwing Snow onto City Streets/Sidewalks

Councillor Walsh reminded residents that it is against regulations to throw snow from lawns onto City streets/sidewalks. It is counterproductive to the City's efforts as well as inconsiderate of neighbouring property owners.

13-03-215 NORM Application

Councillor Walsh commented on the previously referenced NORM application noting his opposition to the application that was submitted in 2002 and unless there was information that has changed since that time, he would not be supporting the most recent proposal. He noted that Council has made a conscious decision to moving Donovans from an industrial park to a business park.

13-03-216 Mount Pearl Skating Club – Ice Show

Councillor Ledwell advised that the annual Ice Show will be held on Sunday, March 24, at the Glacier.

13-03-217 Mount Pearl – Paradise Chamber of Commerce – Outlook Lunch

Mayor Simms commented on the expansion of the Chamber of Commerce to include the Town of Paradise by working together on issues of common need. Congratulations were extended to Mayor Wiseman on his informative "outlook" presentation.

13-03-218 Municipalities NL – Avalon Regional Meeting

Mayor Simms spoke of the recently held MNL Avalon Regional Meeting, noting the topics discussed were informative and made particular reference to the establishment of the Municipal Safety Council.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:35 pm on a motion by Councillor Ledwell and seconded by Councillor Walsh.

Chairperson

Deputy City Clerk