



PUBLIC COUNCIL MEETING MINUTES
March 23, 2010

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 23, 2010 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor John Walsh
Councillor Paul Lane
Councillor Paula Tessier
Councillor Dave Aker

STAFF PRESENT

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

Mayor Simms chaired the meeting.

10-03-186 Adoption of Agenda

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-03-187 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on March 9, 2010 be adopted as presented

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

10-03-188 Ramp from Outer Ring Road – Kenmount Road/McNamara Drive

Council was advised that a follow up telephone call has been placed to the Department of Transportation & Works regarding this intersection; however, no response has been received to date to either the telephone call or letter.

10-03-189 Installation of Bleachers – Team Gushue Soccer Field

Council was advised that the supplier is currently manufacturing the bleachers and a six week delivery is anticipated. It is hoped to have them installed in May.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

No proclamations or presentations.

CORRESPONDENCE

10-03-190 Sarah Clarke, 1st Mount Pearl Rangers

A letter of appreciation was presented from Sarah Clarke thanking Council for their financial assistance in support of her trip to Australia as part of the Girl Guide Australian Centenary Event (ACE) 2010.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

10-03-191 Snow Clearing Regulations – Placing Snow on Sidewalk

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT approval be granted to amend Section 6 of the Snow Clearing Regulations 6 as follows:

“During the period from the 1st day of December in each year to the 31st day of March in any succeeding year, both days inclusive, no person shall shovel, plow, blow or cause to be shoveled, plowed or blown, any residue snow from a driveway or parking lot onto any highway, carriage way or sidewalk⁽¹⁾ within the municipal boundaries of the City.”

(1) Amended language

Discussion: Council was advised that owners of the townhouses on Michener Avenue are restricted as to where they can actually place snow. It was agreed that there may be exceptions to this regulation and as such, the affected property owners should notify the City.

Question called. Motion carried unanimously.

10-03-192 Tender – Full Size Pickups

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT approval be granted to award the tender for the supply and delivery of two full size pickups to the lowest, qualified bidder, Hickman Chrysler Dodge, as follows:

Unit 1 Crew Cab	\$33,647.38*
Unit 2 Regular Cab	\$32,062.05*

* Tax included

Question called. Motion carried unanimously.

10-03-193 Tender – Diesel Powered Lawn Mower

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT approval be granted to award the tender for the supply and delivery of one diesel powered lawn mower to the sole bidder, Newfoundland Kubota Limited, in the amount of \$23,223.76 (tax included).

Discussion: Council was advised that while there is no formal policy, consideration is given to purchasing equipment based on financial, environmental and sustainability components.

Question called. Motion carried unanimously.

10-03-194 Multiple Sclerosis Walk 2010

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT a request from the Multiple Sclerosis Society of Canada to hold their annual MS Walk (including rest stops) on May 30, 2010 be approved in accordance with the specified route.

Question called. Motion carried unanimously.

COMMUNITY SERVICES COMMITTEE

10-03-195 Professional Development & Training – Director of Community Services
Parks & Recreation 2010 Educational Forum & National Exchange

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, of a request from the Director of Community Services to attend the Parks & Recreation 2010 Educational Forum & National Exchange Conference being held in Niagara Falls from April 6-9, 2010 AND FURTHER THAT approval be granted for the Director to visit various recreational facilities in nearby municipalities to assist with plans for the Pearlgate Recreation Multiplex and Glacier Arena Complex.

Question called. Motion carried unanimously.

10-03-196 Record Breaking Weekends for Marlins Swimmers

The following information was presented:

Marlins swimmers attended the Short Course East Coast Championships in PEI from March 4 – 7, 2010 and placed 4th overall with the Marlins breaking four provincial records while at the same time setting eighteen new club records.

The Marlins also attended the NL Provincial Championships held in Deer Lake from March 12 – 14, 2010 and placed 2nd overall with the Marlins breaking two provincial records while at the same time setting nine club records.

10-03-197 YBC Bowling Team

Council extended best wishes to members of the YBC bowling team who will be participating in an upcoming competition in Gatineau, Quebec.

10-03-198 Canadian Tire Jump Start Funding

The following information was presented:

There have been 236 children and 23 adults subsidized in recreation programs under the PEARL Program (Participation for Everyone in Active Recreation and Leisure) to date. The children's programs include dance, swimming lessons, soccer, martial arts, day camp, bowling, skating, scouts, and girl guides. The adult programs include yoga, health and fitness membership, shallow water fitness and swimming. Canadian Tire Jumpstart has contributed \$74,803.50 to subsidize children of Mount Pearl

in physical activity since 2005, which includes \$17,809.50 in 2009 and \$7,250.00 to date in 2010.

10-03-199 2009 Focus on Youth Awards

The 2009 Focus on Youth Awards nominations have now closed with 83 applications received in the categories of Youth/Sport and Arts. The awards will be presented at the Focus on Youth Awards Banquet & Show on May 12, 2010 at the Reid Community Centre.

CORPORATE SERVICES COMMITTEE

10-03-200 Professional Development & Training – Director of Corporate Services
Scotiabank Commercial Card Conference, Montreal, Quebec

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, of a request from the Director of Corporate Services to attend the Scotiabank Commercial Card Conference being held in Montreal, Quebec from April 27 – 30, 2010.

Question called. Motion carried unanimously.

10-03-201 Request for Donation
AAA Bantam Hockey
Atlantic Canadian Championships, Corner Brook

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$200 donation in support of the three Mount Pearl members (Matthew Clark, Matthew Kennedy and Brandon Hunt) of the Provincial AAA Bantam Hockey team who will be attending the Atlantic Canadian Championships in Corner Brook, March 25 - 28.

Question called. Motion carried unanimously.

10-03-202 Request for Donation
Kidney Foundation
Bowl-A-Thon

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$100 donation in support of a bowling fundraiser in aid of the Kidney Foundation.

Discussion: The event will be held on April 11, 2010 at Pearlgate Lanes and the Mayor will bring greetings. It was also noted that Council has supported this fundraising event for a number of years.

Question called. Motion carried unanimously.

10-03-203 Request for Donation
"Swim for Hope" Fundraiser – Marlins

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$100 donation to the Mount Pearl Marlins in support of the "Swim for Hope" fundraiser that was held on March 19, 2010.

Discussion: "Swim for Hope" is a shared fundraising project of the Dr. H. Bliss Murphy Cancer Care Foundation and Swimming Newfoundland and Labrador. It is noted that Councillor Lane attended the Opening Ceremonies for the event.

Question called. Motion carried unanimously.

10-03-204 Tax Consideration
Habitat for Humanity

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to waive taxes charged on properties currently owned by Habitat for Humanity at 1 and 1A Forsey Place, respectively in the amounts of \$332.18 and \$112.00, until the houses are occupied by the permanent owners.

Discussion: It was noted that this is in accordance with past practice for other Habitat for Humanity homes.

Question called. Motion carried unanimously.

10-03-205 February 2010 Payment Register

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the February 2010 payment register, totaling \$3,263,680.22, be approved as presented.

Question called. Motion carried unanimously.

10-03-206 Invoices for Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Arena Board of Management (Rental Subsidy - Frosty Festival)	\$ 10,000.00
2.	Canada Chair Company (Stacking Chairs - Park Place)	\$ 6,768.70
3.	Crown Contracting Inc. (Thomas Byrne Drive - Traffic Lights)	\$ 5,293.49
4.	ESRI Canada Ltd. (Maintenance Agreement)	\$ 5,594.63
5.	Fabian James (Summer Expo 2010)	\$ 5,650.00
6.	Kanstor Inc. (Mobile Shelving Unit)	\$ 28,119.37
7.	Magna Contracting & Management Inc. (Glacier Arena Expansion)	\$ 267,323.54
8.	Mount Pearl Frosty Festival 2010 (Subsidy for Operations)	\$ 15,000.00
9.	Newfoundland HVAC Limited (Tube Heaters in Service Bay)	\$ 7,006.45
10.	Reid Music Ltd. (PA System for Reid Community Centre)	\$ 5,000.25
11.	Saunders Equipment Ltd. (Fleet Maintenance)	\$ 11,240.54
12.	Workplace, Health, Safety & Compensation Commission (2010 Assessment)	\$ 181,856.99
13.	Grand Concourse Authority (Membership Contribution GCA Operating Overhead 2010)	\$ 6,000.00
14.	Rogers Cable (Relocation of cable plant at Glacier Arena)	\$ 7,894.85
	Total	\$ 562,748.81

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

10-03-207 City Purchase of Land – 989 Topsail Road
Corner of Topsail Road and Commonwealth Avenue

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT the purchase of land at 989 Topsail Road be approved in the amount of \$210,000 plus legal costs (HST to be confirmed by City solicitor), for the purpose of assisting the City in future upgrading of the Topsail Road and Commonwealth Avenue intersection.

Discussion: It was noted that this property will allow for the enlargement of Commonwealth Avenue north bound on Topsail Road. It will also assist with the access/egress to proposed private developments in that area. Council considers this purchase to be proactive action with the transition of residential properties to commercial.

Question called. Motion carried unanimously.

10-03-208 BizPal

It was noted that the City of Mount Pearl will soon be a partner with the Provincial and Federal Governments in providing residents and businesses of Mount Pearl with an on-line service that simplifies the business permit and license process for entrepreneurs, governments, and third-party business service providers.

Easy and convenient, BizPal provides Canadian businesses with one-stop access to permit and license information for all levels of government. The primary goal of the program is to slash document research time and help entrepreneurs start up faster.

When accessing BizPal, either from the City's website or directly at www.bizpal.ca, the applicant can obtain copies of all documents required to make application to operate a business in Mount Pearl, including municipal, provincial and federal government permits/approval requests.

BizPal provides the assurance that clients will have the information they need to meet all permit and license requirements quickly and efficiently. The new service is expected to begin by April 1, 2010.

Council was advised that as part of the City's website initiative, we are in the process of offering on-line completion of applications for various permits.

It was clarified that BizPal provides information on what permits would be required (municipal, provincial and federal) to establish a business in a partner municipality. Over time, it is intended to offer applicants the option of completing these applications on-line.

10-03-209 East West – Summer Expo 2010

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT approval be granted for Councillor Stoyles and the Director of Planning and Development to attend meetings with the Towns of Labrador and Wabush and business and government groups from March 10-12, 2010.

Discussion: It was noted that associated expenses will be assigned to the East Meets West budget account. The public was also advised that the City's portion of the Summer Expo will take place in conjunction with City Days (July 15 – 17, 2010). Council expressed their support with the addition of Labrador to the event.

Question called. Motion carried unanimously.

10-03-210 Welcoming Communities

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT the following initiative be approved as presented:

1. designation of Bronda Aylward, Manager of Economic Development and Business Liaison, as the contact person for inquiries from newcomers and to provide assistance to them;
2. insertion of a 'bookmark' type card in all bi-annual tax bills, to be specifically geared towards newcomers and providing them the name and contact information for the designated staff member; and
3. establishment of a volunteer Newcomers Committee for Mount Pearl with representation from interested community groups with a mandate to create an image and reputation for Mount Pearl that makes it a welcoming city to newcomers. The Committee to be tasked with considering ideas on ways to welcome newcomers and these ideas to be referred to Council for consideration.

Discussion: Residents interested in becoming part of the proposed committee were encouraged to contact Ms. Aylward. It was suggested that the local community organizations be approached. In addition, it was also noted that the Association for New Canadians would be a good resource

for this initiative. The program is intended for new Canadians; however, all new residents are invited to contact Ms. Aylward.

Question called. Motion carried unanimously.

10-03-211 Community Review 2009

Residents of Mount Pearl and members of the business community will soon receive a copy of the 2009 Community Review. This magazine-style publication will review the events that have happened in the community over the past couple of years.

This publication is another visible form of Council's commitment to keep active lines of communication with our residents and businesses.

Copies will be delivered by Canada Post and the City would especially like to receive feedback from the general public on the interest and value of the publication.

ENGINEERING SERVICES COMMITTEE

10-03-212 Tender – Depot Renovations

Motion- Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for interior office renovations at the Municipal Depot be awarded to the low bidder, J & T Construction, in the amount of \$20,238.53 (tax included).

Question called. Motion carried unanimously.

10-03-213 Tender – Soccer Field Upgrading – Team Gushue Complex (TP 10-013) CP3 (Scoreboard, Foundation & Structural Steel)

Council was advised that the tender for the above noted project closed on March 15, 2010 with three bids received. These bids were subsequently reviewed by the City's consultant, BAE-Newplan, and it was confirmed that all bids were over the budget limit for the project.

Motion- Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for the supply and installation of CP3 scoreboard, foundations and structural steel for the Team Gushue Complex not be awarded AND FURTHER THAT alternate arrangements be made to have the work undertaken.

Question called. Motion carried unanimously.

10-03-214 20 Forest Avenue – Extension of Lease

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to extend the current lease with the property owner of 20 Forest Avenue for a further five-year period under the same terms and conditions as the original open space license agreement issued in 2005.

Question called. Motion carried unanimously.

10-03-215 Glacier Arena Complex
Tender - Refrigeration Plant & Environmental Control Systems (CP4)

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender (CP4 – Refrigeration Plant and Environmental Control Systems) for the Glacier Arena Complex to Cimco Refrigeration (sole bidder) in the amount of \$3,497,119.00 (plus HST).

Discussion: Information on the Eco-Chill system was presented.

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

10-03-216 Integrated Community Sustainability Plan
Gas Tax Funding Agreement

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the City of Mount Pearl Integrated Community Sustainability Plan be adopted and submitted to the Minister of Municipal Affairs by March 31, 2010, as required under the Provincial-Municipal Gas Tax Agreement.

Discussion: It was noted that the plan contains a number of specific initiatives to achieve the City's goals – it shows the City as it currently exists and into the future. It was recommended that the plan be included as part of the City's new municipal plan.

Question called. Motion carried unanimously.

10-03-217 Mount Carson Avenue Upgrading and Realignment
City Acquisition of Properties Required

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to proceed with the appropriate processes, in accordance with the Urban and Rural Planning Act, to expropriate the properties required for the upgrading and realignment of Mount Carson Avenue from the following property owners:

- CCD Holdings Ltd.,
- 11244 Newfoundland Ltd., and
- St. John's Christadelphians Inc.

Question called. Motion carried unanimously.

10-03-218 Municipal Plan Amendment No. 76, 2010 and
Development Regulations Amendment No. 196, 2010
23 Moores Drive

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT pursuant to the Urban and Rural Planning Act, Municipal Plan Amendment No. 76, 2010, and Development Regulations Amendment No. 196, 2010 be adopted AND FURTHER THAT a public hearing date of April 13, 2010 be established and Ernest Boone be appointed as Commissioner.

Discussion: These amendments are required in order to allow for the processing of a development application from Amilco Ltd. to develop 2 semi-detached buildings (4 units) at 23 Moores Drive.

Question called. Motion carried with Mayor Simms and Councillor Aker abstaining from voting due to a conflict of interest.

10-03-219 Glencoe Drive and Bruce Street Land Acquisition
Intersection Improvements

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to acquire the 124.582 square metres of land from the federal government at 6 Bruce Street in the amount of \$5,650.00 plus associated legal costs.

Question called. Motion carried unanimously.

10-03-220 Earth Hour
Saturday, March 27, 2010, 8:30 – 9:30 pm

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT residents of Mount Pearl be encouraged to participate in Earth Hour on March 27, 2010, from 8:30 – 9:30 pm.

Discussion: Council supported this initiative and will turn off lights in City facilities wherever it is reasonably and safely possible. Residents were encouraged to improve upon last year’s energy savings.

Question called. Motion carried unanimously.

10-03-221 Development Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT development permits issued for the period of March 6 - 19, 2010 be approved as presented.

Question called. Motion carried unanimously.

10-03-222 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of March 5 - 19, 2010, showing a total construction value of \$3,064,000.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

10-03-223 Equipment Exchange

In response to Councillor Tessier, it was noted that many of the local sport groups provide participants the opportunity to obtain equipment through an “equipment exchange” event. The Director of Community Services advised that this initiative is separate from the Jump Start Program, however, every effort is made to ensure that equipment is available to those in need.

10-03-224 Snow Clearing Regulations

Councillor Tessier advised that as of April 1, overnight parking of vehicles on City streets is permitted.

10-03-225 Covering of Household Garbage

Councillor Tessier advised that as of April 1, household garbage is required to be covered on the day of collection.

10-03-226 Island – Old Placentia Road/Ruth Avenue

Councillor Lane advised of a complaint regarding the condition (gravel, garbage) of the above noted area. The Director of Infrastructure & Public Works advised that given the current weather conditions, City staff have commenced clean up of City streets/sidewalks which includes this area.

10-03-227 Household Hazardous Waste
Eastern Waste Management (EWM)

Councillor Lane raised the issue of the discontinuation by MMSB to provide financial assistance to municipalities to host Household Hazardous Waste Days because residents are now permitted to drop off such waste at the Regional Facility. He indicated that residents may not avail of such service due to the inconvenience of having to drive to Robin Hood Bay. Councillor Lane indicated that the matter was also discussed by the NEAJC and that the Council is also going to write Eastern Waste Management regarding their concerns.

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT a letter be forwarded to MMSB requesting a reinstatement of the previously provided subsidy towards the holding of Household Hazardous Waste Days AND FURTHER THAT a letter be forwarded to Eastern Waste Management outlining the City's concerns with the proposed household hazardous waste collection system and fee structure.

Discussion: It was pointed that EWM has agreed not to charge tipping fees to municipalities that collect such waste and dispose of it at the Regional Facility. In addition, it was noted that the Public Works Committee is exploring the cost and method of having such a collection in the City of Mount Pearl. This information is required before the City takes a position on the matter.

It was unanimously agreed that the motion be deferred until the Public Works Committee report is presented.

10-03-228 Goldeneye Place

In response to Councillor Lane, the Director of Infrastructure & Public Works advised that speed bumps will not be placed on Goldeneye Place, however, the traffic calmer will be placed there for a period of time. The Mayor requested that the device be checked to ensure it is correctly calibrated.

10-03-229 Jillian Nofall – Kiwanis Music Festival

Deputy Mayor Locke extended congratulations to Ms. Nofall in recognition of her success (voice) at the Kiwanis Music Festival. It was requested that a letter of congratulations be forwarded from the Mayor's office to Ms. Nofall.

10-03-230 National Student Commonwealth Forum

Deputy Mayor Locke extended congratulations to selected students of Mount Pearl Senior High School who will be participating in the National Student Commonwealth Forum being held in Ottawa from May 2 – 7, 2010.

10-03-231 Reminder to Motorists

Deputy Mayor Locke reminded motorists to be extra aware of pedestrians during the upcoming Easter school break.

10-03-232 Chamber of Commerce – Business Luncheon

Councillor Stoyles advised that the Honourable Ross Wiseman, Minister of Business, is the guest speaker a luncheon being hosted by the Chamber of Commerce on April 13, 2010.

10-03-233 Management of Moose Population

Councillor Stoyles commented on the action (increase in resident hunting licenses, a longer hunting season, enhanced brush clearing efforts, and highway signage) being taken by the Provincial Government to address the moose population in the province. She advised that the Save our People Action Committee has a meeting scheduled for April 28th in Gander and encouraged delegates attending the Municipal Symposium to attend.

10-03-234 Schlumberger

Councillor Walsh advised of initiatives undertaken by Schlumberger to reduce their water consumption, i.e. a water cooled HVAC unit used in their computer/server room will be replaced with an air cooled unit and a rainwater collection system will be designed to act as a supplemental water supply for their equipment cleaning systems. He extended appreciation to

the company and also challenged other businesses to consider similar conservation efforts. He further advised that a meeting of the Regional Water Committee is scheduled for April 6 and every effort is being taken to avoid a water ban in 2010.

10-03-235 D.A.R.E. Program – Mary Queen of the World School

Councillor Aker advised that he recently attended the D.A.R.E. Graduation Ceremony at Mary Queen of the World School. He extended congratulations to the participants as well as to the R.N.C. and school administrators for undertaking the program.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:45 pm on a motion by Councillor Tessier and seconded by Councillor Aker.

Chairperson

Deputy City Clerk