



**PUBLIC COUNCIL MEETING MINUTES  
March 6, 2012**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 6, 2012 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  
Jason Silver, Director, Corporate Services  
Gerry Antle, Director, Infrastructure & Public Works  
Mona Lewis, Deputy City Clerk

**Mayor Simms chaired the meeting.**

12-03-126     Adoption of Agenda

Motion – Councillor Stoyles /Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-03-127     Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on February 21, 2012 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

12-03-128     Nutrition Month

Mayor Simms signed a proclamation declaring March as Nutrition Month in the City of Mount Pearl. Shelley Fletcher, a Registered Dietician with Eastern Health, outlined the activities planned for the month as well as the importance of healthy eating. Reference was also made to the "Follow the Leader" challenge – that has been undertaken by Council members.

12-03-129     World Plumbing Day

Mayor Simms signed a proclamation declaring March 11, 2012 as World Plumbing Day in the City of Mount Pearl. Representatives of the plumbing industry were in attendance and outlined the importance plumbing plays in providing safe drinking water and sufficient sanitation systems. Appreciation was extended to Council for supporting this endeavour.

12-03-130     Volunteer Week

Mayor Simms signed a proclamation declaring April 15 – 21, 2012 as Volunteer Week in the City of Mount Pearl. Representatives, including Honourary Chairperson Ron Ellsworth, were welcomed to the Chambers. Appreciation was extended to all volunteers and others were encouraged to volunteer.

12-03-131     Presentation – NL Housing & Homelessness Network

The City participated in pancake fundraisers for the NL Housing & Homelessness Network. Funds were raised by the Seniors Independence Group and City staff. A donation was also made by CUPE Local 2099. A presentation of the funds raised was made to a representative of the Network.

12-03-132     Unveiling – 40<sup>th</sup> Anniversary Logo – Mount Pearl Soccer Association (MPSA)

The 40<sup>th</sup> anniversary logo was unveiled by representatives of the MPSA. Proposed anniversary activities were outlined and appreciation was extended to Council for their support.

## CORRESPONDENCE

12-03-133     MHA Paul Davis – NLEC Employer of Distinction

A letter was presented from MHA Paul Davis congratulating the City on making the short list for the NLEC Employer of Distinction award.

Congratulations were extended to the NL Liquor Corporation on winning the award.

Council also extended appreciation to City employees in recognition of what is involved to be “short listed” for this award.

## COMMITTEE REPORTS

### PUBLIC WORKS COMMITTEE

#### 12-03-134 Household Hazardous Waste Day

Motion – Councillor Walsh/Councillor Tessier

RESOLVED THAT approval be granted to proceed with arrangements to hold a Household Hazardous Waste Day – at an approximate cost of \$15,000 (+ HST).

Discussion: The public was also advised that such items can be brought (free of charge) to the Robin Hood Bay site every Saturday, from 8am to 4pm, June to November.

Question called. Motion carried unanimously.

#### 12-03-135 Winter Maintenance Update

Information was presented on winter activities such as salt usage, snowclearing efforts, repairs and maintenance. Salt usage for February is reduced significantly due to the nature of February’s winter events along with the addition of two new flyers. This equipment provides a more accurate distribution system which allows operators to achieve a better spread pattern of salt while reducing the spread rate. Residents were also reminded not to park vehicles on the street overnight, during a snow storm, and to be cognizant of snowclearing efforts following a storm.

### COMMUNITY SERVICES COMMITTEE REPORT

#### 12-03-136 Frosty Festival – Glacier Rental

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted to release the rental subsidy of \$10,000 to the Arena Board of Management for the costs associated with the use of the Glacier for a number of Frosty Festival events.

Question called. Motion carried unanimously.

#### 12-03-137 Swimming Registration

Registration for March/April swimming lessons took place at the Pool on Sunday, March 4. For further information please call 748-1005/7.

12-03-138     Easter Day Camp

The Easter Day Camp will run from April 9 - 13 for grades K to 6; registration is ongoing at the Reid Community Centre.

12-03-139     Mount Pearl 20 Minute Makeover

The 20 Minute Makeover is scheduled from April 28 to June 30. There will be free kick-off refreshments at the Reid Community Centre Saturday on April 28<sup>th</sup> from 9:00 – 10:00 a.m.

12-03-140     Kenmount Park Community Centre

Program information for the Kenmount Park Community Centre was presented. Further information will be available on the City's website.

12-03-141     Mount Pearl Joins "Live Right Now" Challenge

Information was presented on the "Live Right Now" Challenge. Visit [www.liverightnow.ca](http://www.liverightnow.ca) and connect with the Live Right Now (LRN) facebook app and have your say! Further information is also available on the City's website.

CORPORATE SERVICES COMMITTEE REPORT

12-03-142     Professional Development  
Offshore Technology Conference (OTC)

Motion - Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Mayor Simms to attend the Offshore Technology Conference being held in Houston from April 30-May 3, 2012.

Question called. Motion carried unanimously.

12-03-143     Professional Development & Training - CAO  
Professional Municipal Administrators (PMA) Annual Convention

Motion - Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for the CAO to attend the Annual PMA Convention being held in Corner Brook, April 18 – 20, 2012.

Question called. Motion carried unanimously.

12-03-144 Partners for Life Recognition

Council was advised that on February 9, 2012 the Canadian Blood Services held their annual recognition event. City employees attending the event included Allison Pearcey, the City's Champion of Partners for Life and supporters Sean McKenna, Bernice Mercer and Colleen Butler. At the event, the City of Mount Pearl was presented with a certificate of recognition for their support of the "Partners for Life" Program.

To date in 2012 the City employees have met 22.5% of our annual goal of donating blood and there are 40 employees signed up as Partners. It was also noted that family members can be registered as part of the Partners for Life program.

12-03-145 Invoices for Council Approval

Motion - Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	LSW Wear Parts Ltd. (plough blade)	\$	18,028.02
2.	Stewart McKelvey (professional services)	\$	5,717.24
3.	Western Star & Freightliner Trucks (2 tandem plough trucks; less holdback of \$120,000)	\$	340,904.40
4.	Clearaway Contracting Limited (holdback amount for line painting)	\$	10,970.72
5.	Clearaway Contracting Limited (final progress payment for line painting)	\$	9,083.68
6.	Bae NewPlan Group Limited (New Skateboard Park)	\$	51,364.29
7.	Grand Concourse Authority (Capital Grant)	\$	550,000.00
	TOTAL	\$	986,068.35

Question called. Motion carried unanimously.

## ENGINEERING SERVICES COMMITTEE

### 12-03-146 Preventative Maintenance Services – Lift Stations

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to renew the preventative maintenance agreement with Xylem for the City's (7) lift stations for the quoted amount of \$1,609.65 per inspection, plus HST.

Question called. Motion carried unanimously.

### 12-03-147 Pearlgate Multiplex - Update

The tender call has been issued for the Multiplex CP3 project. It is anticipated that the construction schedule from date of contract award will be approximately 26 months.

This third contract of the project will incorporate an upgraded youth centre, fitness area, a walking track and a swimming pool. This will be an energy efficient facility using advanced technologies already in place with the first two phases of the Pearlgate Recreation Multiplex/Glacier Arena.

### 12-03-148 Softball Building - Update

Construction of the Team Gushue softball building is ongoing and is anticipated to be completed by the end of June, 2012 to accommodate softball leagues for the 2012 season.

### 12-03-149 Gazebo Height – Modifications

A tender call for the height modification of the gazebo located at City Hall has been placed. The tender is scheduled to close on March 19, 2012.

## PLANNING AND LAND USE DEVELOPMENT COMMITTEE

### 12-03-150 ESRI Canada Calendar

Council was advised that the ESRI Canada calendar is now available and features, for December month, mapping of the City of Mount Pearl as prepared by the City's Cartographic Technician.

12-03-151     Application for Subdivision and Double Dwelling – DA12-0025  
16 Sunrise Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the application by the property owner, proposing to demolish portion of the existing dwelling and construct an addition, subdivide the parcel to create two (2) lots, and create a Double Dwelling at 16 Sunrise Avenue, be approved and that a development permit be issued subject to the following conditions:

1.     Inspection Services conditions;
2.     Engineering Services conditions;
3.     Finance Division conditions;
4.     Newfoundland Power conditions; and,
5.     Planning Division's conditions.

Discussion: It was noted that this development replaced a previous proposal that had not been supported by neighbouring property owners, and ultimately, not by Council. This application meets all regulations and as a result, a briefing session was not necessary. However, correspondence has been forwarded to the residents who had attended the briefing session advising of the revised proposal.

Question called. Motion carried unanimously.

12-03-152     Archival Air Photos

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT approval be granted to purchase the City's archival air photos from the Department of Environment and Conservation, Surveys and Mapping Division for \$730.00 plus HST (\$824.90) and that the orthophoto work be awarded to Northway/Photomap/Remote Sensing Ltd. for \$2,950 plus HST (\$3,333.50) for a total price of \$4,158.40.

Question called. Motion carried unanimously.

12-03-153     Notice of Motion  
Amendment – Noise Regulations

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 Noise Regulations that, if enacted, will update numerous sections of the regulations to reflect current approaches to the regulating of sound and noise in an urban environment.

12-03-154      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:

1. In Section 6 – General Development Standards add a section titled "Heat Pumps" immediately after section 6.15 which provides for the location and separation distances of heat pumps from dwellings.

The purpose of this amendment is to specify the location of heat pumps on properties in relation to dwellings on adjacent lots.

12-03-155      Development Permit List

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Development Permit list for the period of February 20 – March 2, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-03-156      Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of February 18 – March 2, 2012, showing a total construction value of \$250,000, be approved as presented.

Question called. Motion carried unanimously.

12-03-157      Mount Pearl Development Regulations 2010 – Amendment No. 2, 2012  
15, 17, 19 and 21 Simcoe Drive – RMD Rezoning Amendment

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT approval be granted under the authority of Section 16 of the *Urban and Rural Planning Act 2000* to adopt the City of Mount Pearl Development Regulations 2010, Amendment No. 2, 2012.



Discussion: The purpose of the proposed amendment is to rezone the properties at 15, 17, 19 and 21 Simcoe Drive to provide Council with the authority to permit single family dwellings with or without subsidiary apartments at these properties with a minimum frontage of 15 metres.

Question called. Motion carried unanimously.

12-03-158 2 Panther Place – Schlumberger Canada

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT an application by Hennebury Engineering Ltd., on behalf of Schlumberger Canada Limited, to construct an additional new testing facility at 2 Panther Place be approved and a Development Permit issued subject to the following conditions:

1. St. John's Regional Fire Department conditions;
2. Newfoundland Power's conditions;
3. City Inspector's conditions;
4. Engineering Services conditions; and
5. The development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

NEW BUSINESS

12-03-159 Condolences – Pittman Family

Members of council extended condolences to the Pittman family on the passing of their son and brother, Zachary.

12-03-160 Angus Barrett

Councillor Aker extended congratulations to Angus Barrett on being inducted into the Canadian Soccer Association Hall of Fame in the Builder's category. It was requested that a letter of congratulations be forwarded from the Mayor's office.

12-03-161 The Telegram – Article

Councillor Aker commented on an interview with Councillor Hann (St. John's) and Councillor Walsh that promoted regional cooperation between both municipalities.

12-03-162     Household Garbage

Councillor Tessier reminded residents to be aware that garbage may need to be covered to prevent being torn open even though it is not required to be covered until April 1.

12-03-163     Special Olympics

Councillors Tessier, Stoyles and Ledwell – on behalf of Council - extended congratulations to the Special Olympic athletes on the success they achieved at the recent Winter Games.

12-03-164     Councillor Ledwell – Award

Councillor Tessier extended congratulations to Councillor Ledwell on being recognized by his employer, Canada Revenue Agency, for his excellence in community services.

12-03-165     Line Painting

Deputy Mayor Locke questioned if there was an interim measure that could be taken to address the lack of street markings (lines) on City streets, in particular, the Donovans Business Park. Issue referred to Infrastructure & Public Works Committee for consideration.

12-03-166     Salt

Deputy Mayor Locke requested consideration be given to salting sidewalks in school zones. Issue referred to Infrastructure & Public Works Committee for consideration.

12-03-167     Condolences

Councillor Stoyles extended condolences to the families and friends of the late Frank Mercer, Winston Rose, and Anita Kelland.

12-03-168     Mount Pearl H.J. Bartlett Electric Senior Blades

Councillor Stoyles extended congratulations to the Senior Blades on their season. Appreciation was extended to their sponsor, Harry Bartlett.

12-03-169     807 Kinsmen Cadets

Councillor Stoyles advised that the 807 Kinsmen Cadets will be holding a card game on Sunday, March 11, at Park Place from 3:00 – 6:00 pm.

12-03-170 Meeting – MNL

Councillor Stoyles advised that MNL will be hosting a meeting of its membership on Monday, March 12, at 10:30 am, Capital Hotel. The purpose of this meeting will be to provide an update on MNL's discussion with the Provincial Government on the fiscal framework; to collectively voice displeasure at the government's continued inaction; and to rally support for the demand of municipal governments for immediate fiscal assistance.

12-03-171 Heat Pumps

Councillor Walsh advised of problems a resident is experiencing as a result of a neighbouring property's heat pump. He noted that there are regulations in other jurisdictions to govern their use and presented this information. It was noted that the previously presented Notion of Motion will address this problem.

12-03-172 Best Boy Productions

Councillor Walsh extended congratulations to Best Boy Productions, commenting on the recent Telegram article that highlighted their business.

12-03-173 Citizen of the Year

Councillor Ledwell advised that the Citizen of the Year function will be held on April 14 and nomination packages have been forwarded to the community groups. He encouraged residents to consider nominating a volunteer.

12-03-174 Urban Municipalities Committee (UMC)

Mayor Simms provided an update on topics discussed by the UMC at their recent meetings. He referenced a study commissioned by the MMSB regarding indiscriminate dumping. The UMC is seeking suggestions on ways to address the problem.

The UMC also discussed whether there was really any serious consideration on the part of the Province to provide a new fiscal arrangement for municipalities. He referenced the Premier's statement of improving municipal operating grants, noting that this was not what MNL was seeking. He encouraged members of council to attend the MNL meeting scheduled for March 12.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:50 pm on a motion by Councillor Aker and seconded by Councillor Stoyles.

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Chairperson

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Deputy City Clerk