



**PUBLIC COUNCIL MEETING MINUTES**  
**March 9, 2010**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 9, 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.**

10-03-148     Adoption of Agenda

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-03-149     Adoption of Minutes

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on February 23, 2010 be adopted as presented

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

10-03-150 Ramp from Outer Ring Road – Kenmount Road/McNamara Drive

Council was advised that a letter was forwarded to the Department of Transportation & Works today's date inquiring if traffic lights are planned for the above noted intersection. Their response will be provided to Council by the Public Works Committee.

10-03-151 Amendment – Mount Pearl Development Regulations 1988  
Proposed Multiple Dwelling Units – Text Amendment and  
Spruce Avenue Rezoning

Clarification regarding the March 23 briefing session to discuss a proposed amendment to the Development Regulations for the rezoning of properties, particularly in the Spruce Avenue area, was provided. The Newfoundland & Labrador Housing Corporation (NLHC) has requested Council's consideration of a pilot project whereby a double dwelling at 5 – 7 Spruce Avenue would be reconfigured to a dwelling with three units. There would be no change to the building size. NLHC is requesting the change to respond to the smaller family size of their clients and maintain affordable housing. A review of the current Residential Medium Density (RMD) zoning of the dwellings along Spruce Avenue indicated that the zone would not accommodate a three dwelling unit. In addition, it was discovered that the development of these lots was more in keeping with the Residential High Density-Special (RHD-S) use zone than the RMD use zone. Any person wishing to comment on the matter must do so in writing and forward same to the Planning & Development Department no later than 12:00 noon, March 22, 2010. It was pointed out that Council has not yet made a decision on this application.

It was clarified that approval of the NLHC project would not preclude the public notification process for other similar projects. It was further clarified that the NLHC properties are public subsidized housing and differ from affordable housing. It is not part of Council's strategy to address affordable housing.

It was emphasized that Council has made no decision on this application and would do so only after the public briefing session has been held.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

No proclamations or presentations.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

10-03-152     Donation – Beagle Paws/Heavenly Creatures

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT approval be granted to provide a \$100 donation each to Beagle Paws and Heavenly Creatures in recognition of their support in finding homes for unclaimed animals.

Question called. Motion carried unanimously.

10-03-153     Pest Control Services

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT approval be granted to award the tender for the supply and delivery of pest control services to Cabot Pest Control as follows:

Part 1 – Inside Services	Monthly	\$169.16
	Hourly	\$ 44.64
Part 2 – Outside Services (Public Areas)	Hourly	\$ 44.64

Question called. Motion carried unanimously.

10-03-154     Notice of Motion  
Amendment – Snowclearing Regulations

Councillor Tessier gave notice that in accordance with Section 39 of the City of Mount Pearl Act and Council's public notification policy, she will, at a regular meeting of Council, under the authority of Section 202 of the City of Mount Pearl Act, move an amendment to Section 6 of the Snowclearing Regulations as follows:

6. During the period from the 1<sup>st</sup> day of December in each year to the 31<sup>st</sup> 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*<sup>(1)</sup> within the municipal boundaries of the City.

<sup>(1)</sup> Amended language

COMMUNITY SERVICES COMMITTEE

10-03-155 Tender (TP10-11) – Supply & Install Aluminum Bleachers  
Team Gushue Soccer Field

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT the tender for the supply and installation of aluminum bleachers for the Team Gushue Soccer Field be awarded to the low bidder, Sport Systems Canada, in the amount of \$312,362.75 (taxes included).

Question called. Motion carried unanimously.

10-03-156 Quotations – 2010 Summer Activity Guide

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT the quotation for the typesetting, art work, design, printing and folding of the 2010 summer activity guide be awarded to Transcontinental in the amount of \$8,907.00 (plus tax).

Question called. Motion carried unanimously.

*Councillor Walsh noted that the City subsidizes the Frosty Festival through the provision of an operating grant (\$30,000), Glacier rental (\$10,000 paid to Arena Board of Management) as well as use of the Reid Community Centre (in-kind value of approximately \$5,000). He also advised that an appreciation lunch will be held to recognize the corporate sponsors of the event.*

10-03-157 Frosty Festival – Release of Final Installment – Operating Subsidy

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT approval be granted for the release of the Frosty Festival operating subsidy, in the amount of \$15,000.00, which is the second and final installment.

Question called. Motion carried unanimously.

10-03-158     Frosty Festival – Glacier Rental

Motion – Councillor Walsh/Councillor Lane

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

Question called. Motion carried unanimously.

10-03-159     2009 Focus on Youth Awards

Council was advised that the Focus on Youth Awards Banquet and Show will take place on May 12 at the Glacier. This Gala event will be co-hosted by last year's male/female youth of the year, Colin Rose and Erica Fitzgerald. The event will feature entertainment from the O'Donel High School musical "Wizard of Oz" and the three finalists for the Performing Arts Individual Award.

Smitty's Family Restaurant has joined the Newfoundland & Labrador Credit Union and Eastern Audio as major sponsors.

The youth portion of the Sport Alliance awards will also be included in the program. This move will enhance the profile of the Youth Athlete Award and create a new award - "Official of the Year".

It was noted that the deadline for nominations has been extended to March 12, 2010.

10-03-160     2009 Citizen of the Year

On Sunday, April 18, a resident of the City of Mount Pearl will be named Mount Pearl's Citizen of the Year for 2009. This event, held annually by the Kinsmen Club of Mount Pearl in partnership with the City, will be held in conjunction with Volunteer Week, April 18 – 24.

Nomination forms have been mailed out to all community groups and the deadline for nominations is March 31, 2010.

Residents are asked to take the time to consider individuals who have made an outstanding volunteer contribution towards improving the social, health and well being of Mount Pearl citizens.

It was confirmed that nomination forms are forwarded to community groups, sport groups, schools, and churches.

CORPORATE SERVICES COMMITTEE

10-03-161 Professional Development & Training - Conference  
Federation of Canadian Municipalities (FCM) – Deputy Mayor Locke

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, of a request from Deputy Mayor Locke to attend the FCM Conference being held in Toronto from May 28 – 31, 2010.

Question called. Motion carried unanimously.

10-03-162 Professional Development & Training – CAO

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, of a request from the CAO to attend the Canadian Pension & Benefits Institute (CPBI) spring session being held in Halifax on March 30, 2010.

Question called. Motion carried unanimously.

10-03-163 Tender – Rolling Filing System  
Change Order # 1

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT change orders # 1, 2 and 3 be approved for the tender awarded to Kanstor in the amount of \$18,162 plus HST (minute # 09-08-585) as follows:

1. \$3,823.40 (plus HST) to expand system length from 10' to 12'.
2. \$ 375.00 (plus HST) to cover after hour charges due to noise levels.
3. \$2,524.00 (plus HST) to add security features and doors on selected filing units.

Discussion: Council was advised that an allocation of \$25,000 had originally been budgeted for this project and therefore funding was available to cover the change orders. The CAO confirmed that in accordance with the City's purchasing policy he can approve amounts up to \$10,000 provided Council has previously approved a contingency

allowance. Alternately, Council can approve any amount for change orders or extensions where a contingency has not been approved.

Question called. Motion carried unanimously.

10-03-164 Invoices for Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Atlantic Recreation Ltd. (Snowmobile)	\$ 14,590.56
2.	Mount Pearl Chamber of Commerce (Best in Business Awards Banquet)	\$ 6,000.00
3.	Saunders Equipment Ltd. (Kubota Cab)	\$ 30,510.00
4.	Saunders Equipment Ltd. (Parts - Bushings, Level Bars, Ring Gears)	\$ 7,370.52
5.	The Telegram (Preparation of Jan Tax Bills and Postage)	\$ 6,300.03
6.	Ashford Sales Ltd. (Cargo Trailer)	\$ 5,644.35
	TOTAL	\$ 70,415.46

Question called. Motion carried unanimously.

10-03-165 Request for Tax Consideration

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to exempt 2010 business taxes in accordance with Council's policy for charitable and nonprofit organizations for the following:

Name	Address	Annual Amt
Canadian Diabetes Assoc	860 Topsail Road	\$1,300.08

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

10-03-166 Glacier Arena Complex Interior Fit-Up  
Tender Results

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for the Glacier Arena Complex (Expansion) Interior Fit-Up be awarded to the low bidder, Magna Contracting & Management Limited, in the amount of \$7,006,263.00 (plus HST).

Question called. Motion carried unanimously.

10-03-167 Newfoundland Power – Easement

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT a request from NF Power for an easement within the City's open space to accommodate a service distribution line for Pearlview Phase 4B subdivision be approved.

Question called. Motion carried unanimously.

10-03-168 Change Order – Commonwealth Avenue Bridge Rehabilitation  
Can-Am Construction 2004 Limited

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT a change order in the amount of \$47,204.04 for the Commonwealth Avenue Bridge Rehabilitation Project be approved.

Discussion: Additional costs represent changes to the contract for complete refurbishing of the bridge structure. Work will commence when asphalt becomes available (possibly June) with the approximate time for completion being 4 – 5 weeks. Adequate notification of traffic disruption will be provided to the public.

Question called. Motion carried unanimously.



PLANNING & LAND USE DEVELOPMENT COMMITTEE

10-03-169     Civic Numbering Regulations 2010

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Mount Pearl Civic Numbering Regulations 2010 be approved as presented.

Question called. Motion carried unanimously.

10-03-170     Development Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT development permits issued for the period of February 20 – March 5, 2010 be approved as presented.

Question called. Motion carried unanimously.

10-03-171     Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of February 19 – March 4, 2010, showing a total construction value of \$74,000.00, be approved as presented.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

10-03-172     East West – Summer Expo 2010

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT approval be granted for the Mayor and CAO to execute the Memorandum of Understanding between the Cities of Mount Pearl and Corner Brook as well as the agreement with Fabian James with respect to the East West Summer Expo 2010.

Discussion: It was noted that the consideration will be given to a closer integration between the City Days event and the East West event. It was also noted that 2010 is the third year of a three year agreement for this event.

Question called. Motion carried unanimously.

NEW BUSINESS

10-03-173 Mount Pearl Soccer Association (MPSA) Alumni

Councillor Aker advised that the MPSA is looking into the possibility of forming an "Alumni Association". The first meeting of the Alumni is scheduled for 7:00 pm on March 26 at the Smallwood Soccer Hut.

10-03-174 Speak Off Winner – Brian Peach

Councillor Aker extended congratulations to Brian Peach, a Level III student of O'Donel High School, in recognition of winning the Rotary Club of St. John's Northwest "Adventure in Citizenship" Speak Off. It was requested that a letter of congratulations be forwarded from the Mayor's office.

10-03-175 2010 NL Winter Games

Councillor Aker extended best wishes to the Mount Pearl athletes who are participating in the 2010 NL Winter Games being held in Grand Falls-Windsor from March 20 – 27, 2010.

10-03-176 Regional Water Services

Councillor Walsh advised of a recent meeting of the Regional Water Services Committee. He noted that as a result of the recent rainfall, the level of Bay Bulls Big Pond has substantially increased (from 28.5 ft to 32 ft). Newfoundland Power has been asked to enter into discussions on a formal agreement on water usage at Bay Bulls Big Pond. He noted that the cost of constructing the Dissolved Air Flotation (DAF) Plant plus the required electrical upgrades has increased to \$48 million, however, some of this amount is being cost shared with the provincial and federal governments. The extra cost will be cost shared by member municipalities. Council was advised that a Technical Advisory Sub-Committee has been struck so that a plan of action can be developed in the event that another water ban is required this year. The Manager of Engineering Services will be the City's representative on this committee.

In response to Councillor Lane, it was noted that there is a long-term plan for the Regional Water System, with future additional water sources having been identified such as Petty Harbour-Long Pond and Thomas' Pond. The Technical Advisory Sub-Committee will also be tasked to identify water conservation measures, i.e. low flow toilets, etc., as well as a meeting with Landscape NL.

Deputy Mayor Locke reiterated the importance of water conservation on a year round basis.

10-03-177 D.A.R.E. Program – St. Peter’s Elementary

Councillor Stoyles advised that she recently attend the D.A.R.E. Graduation Ceremony at St. Peter’s Elementary. She commented on the program’s benefits, noting that the City provides financial assistance in support of the program.

10-03-178 Power Outages – Bonavista & Avalon Peninsulas

Councillor Stoyles commented on the power outages in areas of Eastern Newfoundland and suggested that the larger municipalities give consideration to providing assistance such as providing generators should similar situations occur in the future.

10-03-179 Condolences

Deputy Mayor Locke extended condolences to the family of the late Michael Dinn, a well known member of the local hockey scene.

10-03-180 Amanda Chretien – “So You Think You Can Dance”

Deputy Mayor Locke extended congratulations to Amanda Chretien in recognition of succeeding to the last round of the “So You Think You Can Dance” auditions. It was requested that a letter of congratulations be forwarded to Ms. Chretien from the Mayor’s office.

10-03-181 Beautification Initiatives – Park Avenue

Councillor Lane requested that the Public Works Committee review beautification initiatives (previously identified by the Parks & Facilities Supervisor) for Park Avenue and that a report be prepared for Council’s consideration.

10-03-182 World Health Organization

Councillor Lane advised of an initiative of the World Health Organization entitled “Global Age-Friendly Cities” that enables people to age actively through the provision of services, settings and support. Active aging is the process of optimizing opportunities for health, participation and security to enhance the quality of life as people age. He requested that the Community Services Committee investigate the program and provide a subsequent report to Council.

10-03-183 Session – FCM Conference

Councillor Tessier supported the previously referenced concept noting that she attended a session offered during the 2009 FCM Conference on

creating opportunities for community development by engaging older and younger residents.

10-03-184 Traffic Calmer – Grangel Road/Wyatt Boulevard

Councillor Tessier commented on the improved traffic flow by the placement of the traffic calmer at the intersection of Grangel Road/Wyatt Boulevard.

10-03-185 D.A.R.E. Program – Newtown Elementary

Councillor Tessier advised that she recently attended the D.A.R.E. Graduation Ceremony at Newtown Elementary. She noted that the speeches by the students showed they understood the intent of the program.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:30 pm on a motion by Councillor Aker and seconded by Councillor Stoyles.

---

Chairperson

---

Deputy City Clerk