



**PUBLIC COUNCIL MEETING MINUTES
May 3, 2011**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on May 3, 2011 at 4:15 pm.

MEMBERS PRESENT

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

STAFF PRESENT

Michele Peach, Chief Administrative Officer
Scott Lush, Director, Infrastructure & Public Works
Brian Chmarney, Director, Community Services
Julia Schwarz, Manager, Planning & Development
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Mayor Randy Simms

STAFF ABSENT

Stephen Jewczyk, Director, Planning & Development

Deputy Mayor Locke chaired the meeting.

11-05-288 Adoption of Agenda

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

11-05-289 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Lane

RESOLVED THAT the minutes of the public meeting held on April 19, 2011 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

11-05-290 Proposed Anglican Church Development
Anglican Cemetery Property - Kenmount Road

Councillor Lane advised that he also supported Council's decision denying the application from St. Michael's Anglican Church for an amendment to the municipal plan and development regulations to permit a church use in the Cemetery designation (Kenmount Road). He noted that while he was in favour of having the Church in Mount Pearl, without water/sewer services, approval of the application would be precedent setting.

It was further clarified that one of the applications that had been denied in the past had also been from a church group - Christadelphians.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

11-05-291 Youth Week Proclamation

Deputy Mayor Locke signed a proclamation declaring May 15 – 21, 2011 as Youth Week in the City of Mount Pearl. Mr. Brian Aylward, a member of the Youth Action Team, outlined activities planned for the week. Further information will be available on the City's website (www.mountpearl.ca).

11-05-292 North American Occupational Safety & Health (NAOSH) Week

Deputy Mayor Locke signed a proclamation declaring May 1 – 7, 2011 as NAOSH Week in the City of Mount Pearl.

Councillor Lane spoke on the significance of NAOSH Week. The goal being to focus employers, employees, partners and the public on the importance of preventing injury and illness in the workplace, at home and in the community. Various activities planned for staff in recognition of the importance of workplace safety were outlined. Councillor Tessier commented on the need for workplace safety to also be endorsed by the private sector. Councillor Stoyles advised that she attended the wreath laying ceremony held on the National Day of Mourning for workers killed or injured on the job.

CORRESPONDENCE

11-05-293 Canadian Association of Municipal Administrators (CAMA)
Environmental Award

A letter was presented from CAMA advising that the City will be presented with a merit award for the Glacier Arena Expansion – Eco Chill System during their upcoming annual conference. It was noted that Councillor Tessier will accept this award on behalf of Council on June 1st in Halifax.

COMMITTEE REPORTS
COMMUNITY SERVICES COMMITTEE

11-05-294 Audio/Lighting – City Days Celebration 2011

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT approval be granted to award the quotation for the provision of audio visual equipment for City Days to Eastern Audio Limited, the lowest qualified bidder, in the amount of \$14,565.70 (HST included).

Question called. Motion carried unanimously.

11-05-295 Admiralty House Museum & Archives
Grounds Maintenance

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT approval be granted to release the amount of \$10,000 to the Admiralty House Board of Management for the staff costs associated with grounds maintenance.

Discussion: It was noted that it is intended to restore the property to its original condition that being a well maintained garden suitable as a setting for photographs, etc.

Question called. Motion carried unanimously.

11-05-296 Arena Board of Management
Final Installment – 2011 Operating Grant

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT approval be granted to release the final installment of the 2011 operating grant, in the amount of \$18,600, to the Arena Board of Management.

Question called. Motion carried unanimously.

11-05-297 Mount Pearl 20 Minute Makeover
May 7 to June 25, 2011

Information was presented on the 20-Minute Makeover being held from May 7 – June 25, 2011. The 20-Minute Makeover event encourages individuals, groups, schools and businesses to get outside for 20 minutes to lend a hand and help keep Mount Pearl beautiful. The “kick –off” will take place on Saturday, May 7, 9:00-10:00am, at the Reid Community Centre (refreshments will be provided). Further information is available on the City’s website (www.mountpearl.ca). Appreciation was extended to the corporate sponsor – Tim Horton’s.

In response to an inquiry from the Deputy Mayor, Council was informed that residents should contact the City regarding trees that may have fallen during Hurricane Igor to determine if the City is responsible for removal. In some cases, permission may be granted to cut/remove the tree.

11-05-298 Mount Pearl Marlins
Spring Splash Swim Meet

Congratulations were extended to the Mount Pearl Marlins for placing second at the Spring Splash Swim meet hosted by St. John’s Legends April 8th-10th. Congratulations also to the top achievers and for breaking five (5) club records.

CORPORATE SERVICES COMMITTEE

11-05-299 Invoices for Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Crown Contracting Inc. (Street Markings-Replacing Invoice ABC March 22, 2011)	\$	5,706.50
2.	Crosbie Engineering Limited (Softball Field Lighting for Team Gushue & Squires Field)	\$	36,434.25
3.	Bae-Newplan Group Limited (Professional Services Donovan's Water Meter)	\$	8,155.72
4.	Avalon Coal Salt and Oil Limited (Road Salt)	\$	102,907.06
5.	Sculpture by Luben Inc. (Source Figurines Bronze)	\$	6,215.00
6.	Saunders Equipment Limited (Purchase Side Loader Garbage Trucks & a Demo Truck)	\$	853,503.69

7.	Turf Master's Landscaping Limited (Supply & Install Walking Turf on Soccer Field)	\$	17,354.88
8.	Tract Consulting Inc. (Review of Building Program, Layout & Site Design)	\$	7,438.33
9.	ESRI Canada (GIS Software Maintenance for May 1 2011 to April 2012)	\$	5,594.63
10.	Bae-Newplan Group Limited (Professional Services Team Gushue Park)	\$	12,045.80
11.	Magna Contracting & Management Inc. (CP2 - Glacier Arena Expansion Interior Fit-Up Pymt #13)	\$	159,987.90
	TOTAL	\$	1,215,343.76

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

11-05-300 Business Retention & Expansion (BRE) International Conference
 May 9-13 – Williamsburg, Virginia

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT approval be granted for Councillor Stoyles to attend the BRE International Conference being held in Williamsburg, Virginia from May 9-13, 2011.

Question called. Motion carried unanimously.

11-05-301 Offshore Technology Conference – Houston – May 1-4

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT approval be granted for Mayor Randy Simms to attend the Offshore Technology Conference being held in Houston, Texas from May 1-4, 2011.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

11-05-302 Tender –Commonwealth Avenue Waterline Replacement

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for the Commonwealth Avenue waterline replacement project be awarded to the low bidder, Newfound Construction, for the bid amount of \$111,473.37, HST included.

Discussion: It was confirmed that this project will not affect traffic flow as it inside the property boundaries, i.e. parallel to Commonwealth Avenue up to Topsail Road (right side going north).

In response to the inquiry on the application of PSAB, the CAO clarified that the financial reporting requirements of the Public Sector Accounting Board standards have been implemented as required, but that the tie-in of the asset management system to the financial reporting system is ongoing and is expected to be completed by year-end.

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

11-05-303 Affordable Seniors Housing Committee
Approach for Establishment of Such a Committee

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the Terms of Reference for the City's Affordable Seniors Housing Committee be approved as presented.

Question called. Motion carried unanimously.

11-05-304 Team Gushue Recreation Complex
Draft Concept Plan

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the draft concept plan (dated February 14, 2011) for recreation and infrastructure improvements to the Team Gushue Sports Complex be approved AND FURTHER THAT the following action be taken in response to the representations received:

1. a response be prepared to the City of St. John's regarding the matter for the buffer outlining the City of Mount Pearl's position,
2. the matter of the speed limit and parking along Smallwood Drive be referred to the Infrastructure and Public Works Department,
3. the other matters raised by the three respondents be acknowledged.

Question called. Motion carried unanimously.

11-05-305 Proposed Second Building on One Lot
KMA - 96 Clyde Avenue

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the proposal by KMA Pharmaceuticals for a second building on the lot at 96 Clyde Avenue for a combined office warehousing use and associated site improvements be approved and a development permit issued subject to the following conditions:

1. City Inspector's requirements.
2. City of Mount Pearl Finance Division requirements.
3. City of Mount Pearl Engineering Services Division requirements.
4. St. John's Regional Fire Department conditions.
5. Final letter of approval by Newfoundland Power.
6. Planning Services conditions.
7. The signing of a development agreement for two buildings on one lot.

Question called. Motion carried unanimously.

11-05-306 Reefer Repair – Cease and Desist Order
172-180 Glencoe Drive

Council was advised that, on April 4, 2011, an Order was issued to Reefer Repair to cease occupation of a building under construction at 172-180 Glencoe Drive. The property owner is requesting a temporary occupancy permit until sometime in mid June 2011.

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the Order be immediately enforced, which would include, but not be limited to, having the property immediately vacated, discontinuation of water services to the property, and follow-up legal action by the City's solicitor.

Discussion: It was noted that temporary occupancy permits are not possible as the property is either in compliance or not. The significant number of outstanding issues was referenced, noting that some of them were life safety concerns.

Question called. Motion carried unanimously.

11-05-307 Notice of Motion
 Amendment – Mount Pearl Development Regulations 1988

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 Mount Pearl Development Regulations 1988 that if enacted, will amend the Residential – High Density (RHD) Land Use Zone Table to:

- (a) Modify the min. 13.5 metre frontage requirement development standard for subsidiary apartments where there is an established pattern of existing subsidiary apartments in place.

The purpose of this amendment is to provide Council with the authority to consider a subsidiary apartment proposal at 14 Paddon Place.

11-05-308 Development Permits

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT development permits issued for the period of April 18 – 29, 2011 be approved as presented.

Question called. Motion carried unanimously.

11-05-309 Building Permits

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT building permits issued for the period of April 15 - 29, 2011, showing a total construction value of \$1,664,500.00, be approved as presented.

Question called. Motion carried unanimously.

11-05-310 Variance Request
 2 Brodie Street - Single Dwelling
 Reduction in Minimum Building Line Setback Standard

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT a variance request to reduce the minimum building line setback standard at 2 Brodie Street to 7.2 metres, to accommodate a single dwelling, be approved and a development permit issued subject to the following conditions:

1. City of Mount Pearl Development Regulations, 1988.

2. City of Mount Pearl Building Regulations.
3. Inspection Services requirements.
4. Planning Services requirements.

Question called. Motion carried unanimously.

NEW BUSINESS

11-05-311 Bulk Garbage

Councillor Tessier advised that bulk garbage collection started this week in accordance with the scheduled routes. Residents are requested to stack items safely and encouraged to be patient as collection may take a little longer at this time of year. It was noted that there are no return trips once a street has been done.

11-05-312 Congratulations

Members of Council extended congratulations to newly elected MP Ryan Cleary and extended appreciation to former MP Siobhan Coady for all her efforts during her term of office. It was requested that letters be forwarded from the Mayor's office.

11-05-313 Etcetera Production

Councillor Tessier advised that the annual Etcetera Production will be held at the Glacier from May 10 – 14. Tickets can be obtained from the Glacier box office. Appreciation was extended to the Carl & Jackie Goulding for the work they have done for and with the youth of Mount Pearl over the past 25 years.

11-05-314 Kenmount Road/Topsail Road Overpass

Councillor Lane advised of an inquiry from a business owner as to whether the structure replacement and road upgrading of the Kenmount Road/Topsail Road overpass would lead to increased traffic in the Donovans Business Park. He requested the Infrastructure & Public Works Director investigate to determine the impact of the project.

11-05-315 Condition – Rental Properties

Councillor Lane reminded owners of rental properties that they are responsible for the property regardless of whether they live there.

11-05-316 Condolences

Councillor Stoyles extended condolences to the families of the late Fred King, Cathy Dray and Marie Pike. It was requested that expressions of sympathy be forwarded from the Mayor's office.

11-05-317 Provincial Bantam B Hockey Tournament

Councillor Stoyles advised that she attending the opening ceremonies for the above tournament.

11-05-318 Municipalities Newfoundland & Labrador (MNL)

Councillor Stoyles advised that the MNL Avalon Regional Meetings scheduled for May 13 – 14 in Heart's Content have been cancelled.

She advised that the MNL Symposium will be held this weekend in Gander.

11-05-319 Seniors Independence Group

Councillor Stoyles advised that "Seniors Awareness and Health Information Day" held today's date was well attended.

11-05-320 Salvation Army – Red Shield Appeal Launch

Councillor Stoyles advised that she attended the above noted event and commented on some of the activities that the Army undertakes.

11-05-321 Atlantic Mayors Congress

Councillor Stoyles advised that members of the Atlantic Mayors Congress voted to incorporate the congress into a secretariat and rotate the position of Chair among the provinces with the Vice Chair serving as Chair the following year. Mayor Basil Stewart (Summerside, PE) was elected Chair and Mayor Woody French (Conception Bay South, NL) was elected Vice Chair. She requested that letters of congratulations be forwarded from the Mayor's office.

11-05-322 Glencoe Drive/Bruce Street – Traffic Lights

Councillor Stoyles advised that the traffic lights at this intersection have resulted in a big improvement in traffic flow.

11-05-323 Reid Centre – Fitness Centre Staff

Councillor Stoyles extended appreciation to John Acreman, an employee of the Fitness Centre, for working so well with his clients. She requested that a letter of appreciation be forwarded to him from the Mayor's office.

11-05-324 20 Minute Makeover

Councillor Walsh reminded the public that the 20 Minute Makeover will "kick off" on Saturday, May 7, at 9:00 am, Reid Community Centre.

11-05-325 Condolences

Councillor Walsh also extended sympathy to the family of Cathy Dray, noting that he was out of town at the time of her passing.

11-05-326 Mount Pearl Lions Club

Councillor Walsh requested a letter of congratulations be forwarded to the Lions Club on the occasion of their 55th anniversary in Mount Pearl. He acknowledged the Club's activities that benefit so many.

11-05-327 Walking Trail

Councillor Aker advised of discussions with a resident regarding the walking trail from Montclair Street to George's Pond. The resident was concerned that the trail would be affected by the development of the Team Gushue Highway and/or other development in the area. It was requested that the Community Services Director contact the Grand Concourse Authority requesting consideration be given to including this trail.

11-05-328 Cabot Habitat for Humanity ReStore

Councillor Aker advised of the opening of the Cabot Habitat for Humanity ReStore. The ReStore will sell new and re-useable building supplies, appliances and other goods. All funds raised will help Cabot Habitat for Humanity build affordable homes for working families.

11-05-329 Mount Pearl Minor Hockey Association

Deputy Mayor Locke advised that MPMHA hosted 14 all Newfoundland events over the Easter break. Mount Pearl teams medaled in 12 (8 gold, 3 silver and 1 bronze). He extended congratulations to all the players and coaches.

ADJOURNMENT

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

Chairperson

Deputy City Clerk