

**PUBLIC COUNCIL MEETING MINUTES**  
**May 4, 2010**

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

MEMBERS PRESENT

Mayor Randy Simms  
Councillor Lucy Stoyles  
Councillor Paul Lane  
Councillor Paula Tessier  
Councillor Dave Aker

STAFF PRESENT

Michele Peach, Director, Corporate Services  
Scott Lush, Director, Infrastructure & Public Works  
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Deputy Mayor Jim Locke  
Councillor John Walsh

STAFF ABSENT

Gerard Lewis, CAO  
Stephen Jewczyk, Director, Planning & Development  
Ray Osmond, Director, Community Services

**Mayor Simms chaired the meeting.**

10-05-317     Adoption of Agenda

Motion – Councillor Stoyles/Councillor Tessier

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-05-318     Adoption of Minutes

Motion – Councillor Lane /Councillor Aker

RESOLVED THAT the minutes of the public meeting held on April 20, 2010 be adopted as presented

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

## BUSINESS ARISING

### 10-05-319 Ramp from Outer Ring Road – Kenmount Road/McNamara Drive

Council was advised that the Town of Paradise will be conducting traffic studies as well as consulting with the Cities of St. John's and Mount Pearl and the Department of Works, Services & Transportation regarding the flow of traffic at this intersection.

### 10-05-320 20 Minute Make-Over

Residents were reminded that the City will be “kicking off” its annual 20-Minute Makeover on Saturday, May 8. Further details are available on the City's website ([www.mountpearl.ca](http://www.mountpearl.ca)). As a “thank you” there will be a complimentary coffee/tea and muffin breakfast served at the Reid Centre from 9:00 – 10:00 am compliments of the major sponsor Tim Hortons.

Mayor Simms referenced a “clean up” challenge between the Cities of St. John's and Mount Pearl.

### 10-05-321 Policy – Green Initiatives

Council was advised that a policy has been formalized to ensure that equipment (regardless of size) being purchased will meet the City's “green initiatives”.

## ACTION REPORT

The action report was accepted as presented.

## PROCLAMATIONS/PRESENTATIONS

### 10-05-322 North American Occupational Safety & Health (NAOSH) Week

Mayor Simms signed a proclamation declaring May 2 – 8, 2010 as North American Occupational Safety & Health Week in the City of Mount Pearl.

Various activities planned for staff in recognition of the importance of workplace safety were outlined.

### 10-05-323 Mount Pearl Youth Week

Mayor Simms signed a proclamation declaring May 9 – 15, 2010 as Mount Pearl Youth Week. Ms. Kaitlin Quinlan, Chairperson, Youth Action Team, outlined various activities planned for the week. Appreciation was extended to all members of the Youth Action Team in recognition of the great work they are doing for young people.

## CORRESPONDENCE

10-05-324     Municipalities Newfoundland & Labrador (MNL)

Responses from Ministers Johnson (Environment & Conservation) and Kennedy (Health & Community Services) regarding the MNL resolution seeking support from the Provincial Government to ban the cosmetic use of pesticides were presented.

10-05-325     M.H.A. Steve Kent

A letter was presented from M.H.A. Steve Kent extending appreciation to volunteers for their efforts.

10-05-326     Municipalities Newfoundland & Labrador (MNL)

Council was advised that an MNL Avalon Regional meeting will be held on May 7<sup>th</sup>, 1:30 pm, at the Visitor's Pavilion on Veteran's Memorial Highway in Bay Roberts. Senator Fabian Manning will be the guest speaker. There will also be a brief discussion on issues of concern in the region.

## COMMITTEE REPORTS

### PUBLIC WORKS COMMITTEE

10-05-327     Vehicle Side Guard Protection

The public was advised that all new City vehicles (heavy equipment) will be outfitted with side guards.

The efforts of Jeannette Holman-Price for this under guard protection were recognized. Council also noted their support of Ms. Holman-Price through the provision of financial assistance in her pursuit for changes to no-fault insurance laws and improving the safety of all trucks throughout Canada. Reference was also made to M.P. Siobhan Coady's introduction of a private member's bill to increase road safety. This Bill would amend the Motor Vehicle Safety Act to ensure all vehicles in the higher weight categories would be equipped with side guard protection.

COMMUNITY SERVICES COMMITTEE

10-05-328     Donation – Recreation NL  
Arena Operators Course

Motion – Councillor Lane/Councillor Aker

RESOLVED THAT approval be granted to provide a \$500 donation to Recreation NL to assist with a dinner held during the Arena Operators Course hosted in the City from April 26 – 29, 2010.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

10-05-329     Federation of Canadian Municipalities (FCM) – Conference  
Councillor Stoyles

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Councillor Stoyles to attend the FCM Conference being held in Toronto from May 28 – 30, 2010.

Question called. Motion carried unanimously.

10-05-330     Canadian Association of Municipal Administrators (CAMA)  
CAO

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for the CAO to attend the CAMA Conference being held in Toronto from May 31 – June 2, 2010.

Question called. Motion carried unanimously.

10-05-331     Financial Assistance  
Multiple Sclerosis (MS) Walk

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$100 donation in support of the 2010 MS Walk being held on May 30, 2010 commencing at 10:00 am from the Reid Community Centre.

Discussion: Councillor Walsh will be attending the function and bring greetings on behalf of Council.

Question called. Motion carried unanimously.

10-05-332 Invoices for Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Arena Board of Management (Rental Subsidies)	\$	15,689.00
2.	Bae Newplan Group Limited (2009 Street Upgrading)	\$	10,430.05
3.	Bae Newplan Group Limited (2010 Street Upgrading)	\$	22,335.85
4.	Magna Contracting (Glacier Arena Expansion CP2)	\$	140,679.52
5.	Magna Contracting (Glacier Arena Expansion CP1)	\$	200,107.37
6.	Mount Pearl Sport Alliance (Final Installment - 2010 Operating Subsidy)	\$	49,498.00
7.	Abitibi Geophysics Atlantic Inc. (Magnetics/GPR Survey - Olympic Drive Site)	\$	38,431.30
8.	British Group of Companies (Community Review Booklets)	\$	6,837.09
		Total	\$ 484,008.18

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

No report.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

10-05-333 Contribution – Atlantic Jewish Council  
Dr. Philip Riteman

The public was advised that the City and Mount Pearl Senior High School hosted a speaking engagement by Dr. Philip Riteman, a survivor of the Holocaust, on April 26, 2010.

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT approval be granted to provide a \$200 donation to the Atlantic Jewish Council, as well as a \$200 donation to contribute towards Dr. Riteman's hotel and meal expenses.

Discussion: It was noted that Dr. Riteman's presentation was educational and thought provoking. Citizens were encouraged to attend future presentations when the opportunity arose.

Question called. Motion carried unanimously.

10-05-334 Talon Energy Services  
Steel Fabrication, Sandblasting & Spray Painting (Discretionary Use)  
158 Glencoe Drive

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT approval be granted to issue a conditional development permit to Talon Energy Services (formerly known as Acquaint Contracting Services) to carry out an interior fit-up of the complete expanse of the existing 1,115 m<sup>2</sup> building at 158 Glencoe Drive (Skyway Holdings) to accommodate a facility that prepares heavy steel for construction, including spray painting and sand blasting, subject to the following conditions:

1. Department of Environment and Conservation recommendations.
2. St. John's Regional Fire Department requirements.
3. Government Service Centre approvals prior to any building permits being issued.
4. The development meeting the City of Mount Pearl Development Regulations, 1988.
5. The development meeting the City's Inspection Services, Finance Division and Planning and Development requirements.

Question called. Motion carried unanimously.

10-05-335 Request for Increase in Fence Height  
1 Forsey Place

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT a request from the property owner of 1 Forsey Place to extend the height of the fence to 2.2 metres be denied AND FURTHER THAT the property owner be advised that the maximum fence height permitted is 1.8 metres as per the City's regulations.

Question called. Motion carried unanimously.

10-05-336     Proposed Rezoning – Simcoe Drive  
Pearlview – Phase 5

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT Mount Pearl Development Regulations Amendment No.199, 2010 (Pearlview Phase 5 Simcoe Drive Amendment) be adopted as presented.

Question called. Motion carried unanimously.

10-05-337     Development Permits

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT development permits issued for the period of April 17 – 30, 2010 be approved as presented.

Question called. Motion carried unanimously.

10-05-338     Building Permits

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT building permits issued for the period of April 17 - 30, 2010, showing a total construction value of \$2,696,800.00, be approved as presented.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

10-05-339     Request for Release of Securities – Total Performance  
Cardinal Homes - Pearlview – Phase 2 – Eriksson Crescent

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to release security in the amount of \$85,000.00 to Cardinal Homes for Total Performance for Pearlview Phase 2.

Question called. Motion carried unanimously.

NEW BUSINESS

10-05-340 Municipalities Newfoundland & Labrador (MNL)  
Municipal Symposium

Councillor Stoyles presented reports that had been provided at the Municipal Symposium for Council's review and consideration. These reports were a result of the Community Development Project undertaken by MNL related to regionalization through the sharing of resources, information, research, training and advisory services.

10-05-341 Bulk Garbage Collection

Councillor Stoyles advised that the first of the three bulk garbage collections for 2010 is nearing completion. Collection for the final zone will take place during the week of May 10<sup>th</sup>.

Discussion ensued regarding items that are not taken during bulk garbage collection, in particular, construction/renovation materials. It was reported that these items are being collected on an inconsistent basis. It was recommended that the matter be referred to the Public Works Committee for review and a subsequent report that will include protocol, percentage of construction material collected and the rationale for not collecting these items.

10-05-342 Etcetera – Musical Production

Council extended congratulations to all involved in the Etcetera musical production taking place from May 4 – 8, 2010 at the Glacier. The level of commitment of the cast and crew was acknowledged. The public was encouraged to attend the show.

10-05-343 Webcast – Council Meetings

Councillor Lane commented on the low level of response to the webcasting of council meetings and wondered if this resulted from residents being unaware of the service. It was requested that the Corporate Services Committee consider ways to increase awareness in the community that Council meetings are webcast.

10-05-344 Property Maintenance

Councillor Lane reminded the owners of rental properties that they are responsible for maintaining the properties.



10-05-345     Animal Control – Cats

Councillor Lane reminded residents that cats were not permitted to roam freely outside.

10-05-346     Amendment – Mount Pearl Development Regulations 1988  
Offstreet Parking Requirements

In response to Councillor Lane, it was noted that the motion to amend the Development Regulations prohibiting the parking of vehicles on landscaped areas will be referred to a future public council meeting.

10-05-347     Ramp – Ruth Avenue

Councillor Tessier commented on the debris on the sides of the east ramp off Ruth Avenue onto Pitts Memorial Drive. She requested that contact be made with the appropriate authority to have the debris removed.

10-05-348     Household Garbage

Councillor Tessier reminded residents that household garbage is not to be placed to the curb prior to 6:00 am on the day of collection. It was noted that municipal enforcement officers will be issuing tickets for this contravention to the City's Garbage Regulations.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:15 pm on a motion by Councillor Stoyles and seconded by Councillor Tessier.

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Chairperson

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Deputy City Clerk