

**PUBLIC COUNCIL MEETING MINUTES
November 16, 2010**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on November 16, 2010 at 4:15 pm.

MEMBERS PRESENT

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

STAFF PRESENT

Gerard Lewis, Chief Administrative Officer
Michele Peach, Director, Corporate Services
Scott Lush, Director, Infrastructure & Public Works
Stephen Jewczyk, Director, Planning & Development
Gail Sexton, Human Resources Assistant

MEMBERS ABSENT

Councillor John Walsh

STAFF ABSENT

Mona Lewis, Deputy City Clerk

Mayor Randy Simms chaired the meeting.

10-11-822 Adoption of Agenda

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-11-823 Adoption of Minutes

Motion – Councillor Stoyles /Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on November 2, 2010 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

None noted.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

10-11-824 Proclamation – YMCA World Peace Week – November 20-27, 2010

Mayor Simms signed a proclamation declaring the week of November 20 - 27, 2010 as YMCA World Peace Week in the City of Mount Pearl.

In attendance for the signing were Janet King, Coordinator, Campaign Support, Communications & Special Events and Danielle Collins, Supervisor of Membership & Programs, Mount Pearl Y.

Ms. Collins thanked Council for their support and presented Council with a plaque of appreciation. An invitation was extended to the Peace Week breakfast being held on November 26, 2010 at 7:30 a.m. at the Holiday Inn.

10-11-825 Proclamation – Crohn's and Colitis Awareness Month

Mayor Simms signed a proclamation declaring the month of November as Crohn's and Colitis Awareness Month.

In attendance were representatives of the Eastern Avalon Chapter of the Crohn's and Colitis Foundation of Canada: Ms. Catherine Parnell, Chapter President, Ms. Caroline Johnson, Volunteer and Ms. Dulcie Sharpe-Turpin, Volunteer.

Ms. Parnell thanked Council for the opportunity to convey the group's devotion to raising money for research. She noted that Newfoundland has the highest incidents of Crohn's and Colitis in the country.

10-11-826 Proclamation – Restorative Justice Week 2010

Mayor Simms signed a proclamation proclaiming the week of November 14 - 21, 2010 as Restorative Justice Week in the City of Mount Pearl.

10-11-827 Presentation – CAO – ICMA Years of Service Award

Mayor Simms presented Gerard Lewis, Chief Administrative Officer, with a plaque on behalf of ICMA (International City/County Management Association) in honor of 25 years of service to local government and in recognition of his significant contributions and achievements in the

advancement of local government administration. He also recognized that Mr. Lewis has served 22 years with the City of Mount Pearl.

CORRESPONDENCE

None noted.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE

10-11-828 Rescinding of Minute # 10-11-796
Awarding Quotation for Two Signs - Glacier Arena

Motion – Councillor Lane/Deputy Mayor Locke

RESOLVED THAT minute #10-11-796, the awarding of the quotation for the manufacturing and installation of two (2) signs for the Glacier, be rescinded due to a calculation error in the total costs AND FURTHER THAT the manufacturing and installation of the two (2) signs for the Glacier be awarded to the lowest, qualified bidder, Parrott Signs, in the amount of \$9,380.00 (plus HST).

Question called. Motion carried with Councillor Stoyles abstaining from voting due to a conflict of interest.

10-11-829 Wellington Crescent
Extension of Open Space Lease

Motion – Councillor Lane/Deputy Mayor Locke

RESOLVED THAT approval be granted to extend the open space lease agreement with the property owner of 24 Wellington Crescent for a further five-year period under the same terms and conditions as the original agreement.

Question called. Motion carried unanimously.

10-11-830 Tender Award
Two Electric Ice Resurfacers

Motion – Councillor Lane/Deputy Mayor Locke

RESOLVED THAT the tender for two (2) electric ice resurfacers for the Glacier Arena and the new arena be awarded to the low bidder, Saunders Equipment, in the amount of \$350,379.10 (taxes included).

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

10-11-831 Invoices for Council Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Newcap Inc. (Advertising re Curbside Recycling)	\$ 8,895.36
2.	Bae Newplan Group Limited (Mount Carson Upgrade - Phase 1)	\$ 16,346.21
3.	Weir's Construction (2008 Street Upgrading - Park Ave- Payment 12)	\$ 278,878.32
4.	Stewart McKelvey (Professional Services)	\$ 8,207.11
5.	Harris Ryan Chartered Accountants (Professional Services for 2009)	\$ 11,074.00
6.	Transcontinental St. John's (Printing of Recycling Books)	\$ 8,012.83
7.	Pyramid Construction (Traffic Lights CP1 - Payment Claim 2)	\$ 276,644.06
8.	Modern Paving Limited (2010 Street Upgrading CP2 - Claim No. 3)	\$ 440,098.05
	TOTAL	\$1,048,155.94

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

10-11-832 Community Power Conference 2010

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted for Councillor Walsh to attend the 2nd Annual Community Power Conference 2010 being held November 14-17, 2010 in Toronto, Ontario.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

10-11-833 Ratification of Orders

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the issuance of the Orders to the property owners of 34 Forest Avenue, 20 Bannister Street, 5 Donovan Street, and 5 Kyle Avenue.

Question called. Motion carried.

10-11-834 Alleged Operation of Commercial Business and Taxi Cabs
Recommendation to Rescind Order
2 Forest Avenue

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Order issued regarding 2 Forest Avenue be rescinded and that the property owner be:

1. advised that no commercial business is permitted to be operated at this site;
2. advised that pursuant to Regulation 50 (4) of the City of Mount Pearl Taxi Regulations that approval is granted to park one taxi cab at 2 Forest Avenue; and,
3. directed to remove all but one taxi cab vehicle from this property.

Discussion – It was recommended that a letter be sent to all taxi cab owners within the area and advise them of the same rules.

Question called. Motion carried unanimously.

10-11-835 Mount Pearl Development Regulations Amendment No. 208, 2010
Antenna Amendment

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT Mount Pearl Development Regulations Amendment No. 208, 2010, Antenna Amendment be adopted.

Question called. Motion carried unanimously.

- 10-11-836 Application for Extension of Paved Parking
Budden Morris Law Office
184 Park Avenue

Motion - Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the application for parking at the side and rear yard be approved but the portion of the application for the extension of the parking area at the front of the building at 184 Park Avenue be refused as it is contrary to Regulation 50 (4) of the Mount Pearl Development Regulations.

Question called. Motion carried unanimously.

- 10-11-837 Development Permit List

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT development permits issued for the period of November 1-12, 2010 be accepted as presented.

Question called. Motion carried unanimously.

- 10-11-838 Building Permit List

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of November 3-12, 2010, showing a total construction value of \$215,200.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

- 10-11-839 Congratulations to CAO

Council congratulated Gerard Lewis, Chief Administrative Officer, for his 25 year achievement in local government and his dedicated municipal service of 22 years with the City of Mount Pearl.

- 10-11-840 Recycling Program

Councillor Tessier reminded residents that the recycling program commenced today in the City of Mount Pearl and encouraged residents to adhere to the recycling guidelines. She also advised that she received a call from a senior citizen commending Council on a positive move with this initiative.

10-11-841 Condolences

Council expressed their condolences to the family of Ruby O'Keefe who passed away last week. Mrs. O'Keefe was the wife of a former councillor, Pat O'Keefe, and was a well known and respected citizen of Mount Pearl.

10-11-842 Northeast Avalon Joint Council

Councillor Lane advised that the next meeting of the Northeast Avalon Town Council will take place in Flatrock on November 17. Mr. Ken Kelly from Eastern Waste Management will be in attendance.

10-11-843 Mount Pearl Blades

Congratulations were extended to the Mount Pearl Blades on their season to date where they remain undefeated.

10-11-844 Glacier Opening

Council was advised that the Glacier Extension is scheduled to open in April, 2011. It was also noted that the tender for the Multiplex Center should be ready in February with a two-year construction period.

10-11-845 Crosswalks in Mount Pearl – In School Zones

Deputy Mayor Locke expressed concerns regarding the close incidents at the crosswalks at Michener/Ruth Avenue as well as other busy intersections and crosswalks in the City, in particular, in the mornings and lunch times while students and other pedestrians are trying to cross the street.

He inquired about the possibility of installing a delay on all red lights in the early mornings and during lunch hour periods to give pedestrians more time to cross the street.

The Director of Infrastructure & Public Works advised with the current infrastructure in place at Ruth Avenue, it cannot be set to delay for certain periods of time during the day. He will investigate to see if there are controllers in other locations that may be able to be relocated to Ruth Avenue to accommodate this request.

It was noted that additional controllers with greater programming flexibility should be considered in the 2011 budget deliberations.

Councillor Tessier advised that motorists should take more caution when approaching a crosswalk to ensure that pedestrians have made it across before proceeding.

10-11-846 Pearl Awards

Councillor Stoyles expressed her appreciation and congratulations to staff on a great job done on the Pearl Awards. She noted that it took a lot of hard work and dedication to make it a success.

Council encouraged all residents to consider participating in this event in future years.

10-11-847 Santa Claus Parade and Christmas Tree Lighting

Residents were reminded that the Santa Claus Parade and the Christmas Tree Lighting will take place on Saturday, December 4, 2010.

10-11-848 Oil Spill

Council was updated on the oil spill in Power's Pond advising that North Atlantic has acquired legal advice and has taken over monitoring and mediation of the spill. They have advised that an active leak was found on their property and it is now contained. They are cooperating with the City in this respect.

It was noted that the cost to the City is approximately \$70,000 to date and the City's solicitor has informed North Atlantic that the City will be seeking compensation for these expenses.

10-11-849 Minister's Visit to Mount Pearl

Mayor Simms advised that Council recently hosted the Federal Minister of State for ACOA, Mr. Keith Ashfield, who toured the new Glacier extension and was very impressed with the energy efficient program and the leading edge new state-of-the-art Eco Chill plant.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:25 pm on a motion by Councillor Lane and seconded by Councillor Tessier.

Chairperson

Human Resources Assistant