

## **PUBLIC COUNCIL MEETING MINUTES**

**October 16, 2012**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on October 16, 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  
Jason Collins, Director of Community Services  
Mona Lewis, Deputy City Clerk

### **Mayor Simms chaired the meeting.**

12-10-707     Adoption of Agenda

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-10-708     Adoption of Minutes

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on October 2, 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

### 12-10-709 Canadians Addressing Sexual Exploitation Week

Mayor Simms signed a proclamation declaring October 21 – 28, 2012 as Canadians Addressing Sexual Exploitation Week in the City of Mount Pearl. Representatives from the Mary Queen of the World Catholic Women's League (CWL) were in attendance. Ms. Catherine Fagan presented Information regarding the White Ribbon Against Pornography (WRAP) Campaign that the CWL has supported for many years. This campaign includes obtaining signatures to be presented to their Member of Parliament with a letter seeking changes to control pornographic content on the internet.

## CORRESPONDENCE

None presented.

## COMMITTEE REPORTS

### PUBLIC WORKS COMMITTEE REPORT

#### 12-10-710 Automated Garbage Collection (Update)

Garbage cart delivery is ongoing with approximately one-half completed to date. The following points were made:

- Carts are to be used immediately upon receipt. Household garbage will only be collected if it is contained in a City cart.
- Residents requesting the "opt out" option for subsidiary apartments that are not currently rented should forward their request (for one cart only) to the attention of the Infrastructure & Public Works (IPW) Department.
- Consideration is being given to requests from property owners who only require one cart even if their subsidiary apartment is rented. At this time, properties with two units will receive two carts. Residents should forward their request (for one cart only) to the attention of the IPW Department.
- The City is also considering ways to accommodate seniors and other residents who have extenuating circumstances with respect to getting the carts to the curb.
- The IPW Department is addressing complaints, issues, challenges and concerns as they arise.
- It was noted that there is technology available to determine if a cart was, indeed, emptied. Consideration is being given to implementing this option.

12-10-711 Rotary Club of Waterford Valley – Bridge Painting

Appreciation was extended to members of the Rotary Club of Waterford Valley in recognition of their recent volunteer efforts that involved the painting of a section of the boardwalk and pedestrian bridge over the Waterford River.

COMMUNITY SERVICES COMMITTEE REPORT

12-10-712 Oktoberfest Craft Fair

The success of the Oktoberfest Craft Fair was acknowledged. Appreciation was extended to all who participated and assisted with this annual event.

12-10-713 Christmas at the Glacier  
October 24 – 28, 2012

The 2012 Christmas at the Glacier is celebrating 20 years of Crafts & Art in Mount Pearl. The festival will run from Wednesday, October 24 to Sunday, October 28. For more information on the five day show, please call 745-9627 or visit [christmasattheglacier.com](http://christmasattheglacier.com).

CORPORATE SERVICES COMMITTEE

12-10-714 Tax Deferrals – Low Income Earner

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to defer taxes for roll# 3345-837-0-0180-000, in the amount of \$1,366.38, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

12-10-715 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Afonso Group (Water Testing Various Areas - July to August 2012)	\$ 7,599.25
2.	Avema Corporation (Mobile Service Pack 3 yr Subscription)	\$ 6,783.00
3.	Bae Newplan Group (Professional Fees - 2011 Street Upgrading)	\$ 77,966.05
4.	Bae Newplan Group (Professional Services - Team Gushue Recreation Complex)	\$ 43,081.25

5.	City of St. John's (Regional Fire Services - October 2012)	\$ 334,312.24
6.	Executive Taxi Services Limited (Bus Service for Summer Recreation Programs 2012)	\$ 16,325.61
7.	Hitech Communications Ltd. (Key Fob Supply/Install & Ignition Control on AVL Units)	\$ 12,905.22
8.	J 3 Consulting & Excavation Ltd. (Patching for Watermain Break in Area of 135 Sunrise Avenue)	\$ 6,270.08
9.	Municipal Assessment Agency (Assessment Fees - Fourth Quarter)	\$ 71,064.50
10.	MVT Canadian Bus, Inc. (Para Transit Service - April, May & June 2012)	\$ 62,126.22
11.	Stanley Flowers Limited (Flower Pot Maintenance - September 2012)	\$ 7,452.71
	Total	\$ 645,886.13

Question called. Motion carried unanimously.

12-10-716 Director of Infrastructure and Public Works  
Canadian Public Works Association (CPWA) Conference - NL Chapter

Item withdrawn.

12-10-717 2011 Consolidated Financial Statements

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the 2011 PSAB compliant financial statements, as audited by the firm Harris Ryan Chartered Accountants, reporting a net debt position of \$16,170,511 and accumulated surplus of \$85,237,701 which includes the net book value of our tangible capital assets totaling \$134,414,870 be approved.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

12-10-718 Multiplex - Update

An update on the Multiplex construction was presented. It was noted that a camera (for placement on site) to monitor the progress and post to the City's website is being pursued. Update to be provided to council.

12-10-719 Tender for Team Gushue Sports Complex (Softball Building) – Electrical

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the tender for the provision of electrical services for the Softball Building, Team Gushue Complex, be awarded to the lowest qualified bidder, BSB Electrical, in the amount of \$67,009.00.

Question called. Motion carried unanimously.

12-10-720 Tender for Team Gushue Sports Complex (Softball Building) – Mechanical

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the tender for the provision of mechanical services for the Softball Building, Team Gushue Complex, be awarded to BSB Electrical, in the amount of \$149,499.00.

Discussion: It was noted that BSB Electrical was the only bidder.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

12-10-721 Acquisition of Property  
30 Forest Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the property at 30 Forest Avenue be purchased for the amount of \$161,254.70.

Question called. Motion carried unanimously.

12-10-722 Proposed New Building (Third Building on Lot) and Associated Site Development  
DEL Contracting Limited (Protek Industries Limited) – DA12-00591  
Proposed Self Storage Mall  
41 Sagona Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the application by Del Contracting Limited, on behalf of the owner Protek Industries Limited, to construct an approximate 746 m<sup>2</sup> building at 41 Sagona Avenue, as a third building on the site which is proposed to be a Self Service Storage Mall Use be approved and a development permit issued subject to the following conditions:

1. St. John's Regional Fire Department conditions

2. Newfoundland Power conditions
3. City Inspector conditions
4. Planning Services conditions
5. Engineering Services conditions
6. Signing of a development agreement for three buildings on one lot
7. Development meeting Mount Pearl Development Regulations 2010

Discussion: It was noted that this particular application is an anomaly and Council is not proposing to move forward with the placement of second and third buildings on existing sites.

Question called. Motion carried unanimously.

12-10-723 Notice of Motion  
1073 Topsail Road

Councillor Aker gave notice that in accordance with the City of Mount Pearl Act, 1988, he will, at a regular meeting of Council, move a recommendation to issue a Cease Occupancy Order for the portion of the building that is being occupied by Heavy Weight Fitness at 1073 Topsail Road.

12-10-724 Development Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT development permits issued for the period of October 1 - 12, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-10-725 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of September 29 – October 12, 2012, showing a total construction value of \$3,287,275.00, be approved as presented AND FURTHER THAT approval be granted to include the Multiplex project in the “Municipal Works” section.

Question called. Motion carried unanimously.

NEW BUSINESS

12-10-726 Congratulations – Councillor Stoyles

Members of Council extended congratulations to Councillor Stoyles on her re-election as Avalon Director, Municipalities Newfoundland & Labrador (MNL) Board

of Directors. Her commitment to the Avalon member municipalities was acknowledged with appreciation.

Councillor Tessier also extended congratulations to Councillor Stoyles who also received a long-term service award in recognition of her 16 years as a councillor.

12-10-727 Mount Pearl Senior High (MPSH) – Girls Soccer 4A

Deputy Mayor Locke extended congratulations to the members of the MPSH Girls Soccer 4A team on their recent win.

12-10-728 St. Peter's Parish – Fall Fair

Councillor Aker advised that St. Peter's Parish is holding their Fall Fair this coming Saturday (October 20).

12-10-729 Heart & Stroke Foundation

Councillor Stoyles advised that the City has been recognized by the Heart & Stroke Foundation as being the top provincial fundraiser (Mayors' March) in 2012. A certificate of appreciation was presented at the MNL Convention. Appreciation was extended to the business community and those who supported the fundraiser.

12-10-730 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the NEAJC will be meeting on October 17 in the Town of Colliers. The Honourable Kevin O'Brien, Minister of Municipal Affairs, will be in attendance.

12-10-731 Best in Business Awards

Councillor Stoyles advised that the Mount Pearl-Paradise Chamber of Commerce Best in Business Awards event is scheduled for October 17 in the Town of Paradise.

12-10-732 Church of the Good Shepherd – Morning Coffee

Councillor Stoyles advised that the Church of the Good Shepherd "Morning Coffee" is also taking place on Saturday (October 20).

12-10-733 Atlantic Mayors' Congress

Councillor Walsh advised that Mayor Woodrow French, Town of Conception Bay South, is hosting the Atlantic Mayors' Congress meetings, October 24 – 26. Best wishes were extended for successful meetings.

12-10-734     Best in Business Awards

Councillor Ledwell extended best wishes to all nominated for a Best in Business Award.

Mayor Simms also extended congratulations to Councillor Stoyles, commented on the Best in Business Awards, noted his planned attendance at some of the Atlantic Mayors' Congress meetings, as well as remarked on a series of articles on municipal services in The Telegram.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:15 pm on a motion by Councillor Ledwell and seconded by Councillor Aker.

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Chairperson

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Deputy City Clerk