



**PUBLIC COUNCIL MEETING MINUTES
October 18, 2011**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on October 18, 2011, 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

Michele Peach, Chief Administrative Officer
Stephen Jewczyk, Director, Planning & Development
Brian Chmarney, Director, Community Services
Jason Silver, Director, Corporate Services
Gail Sexton, Human Resources Assistant

Mayor Simms chaired the meeting.

11-10-696 Adoption of Agenda

Motion - Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

11-10-697 Adoption of Minutes

Motion – Councillor Stoyles /Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on October 4, 2011 be adopted as presented.

Errors & Omissions: None noted.

ACTION REPORT

The action report was accepted as presented.

BUSINESS ARISING

11-10-698 Oktoberfest Craft Fair
 October 10, 2011

Councillor Tessier advised that she attended the Oktoberfest Craft Fair on Monday, October 10th and that it was a tremendous success. The attendance appeared to be consistent throughout the day. Congratulations to the organizers on a job well done.

11-10-699 Official Opening of Glacier Ice Pad
 October 16, 2011

Councillor Tessier advised that she attended the official opening of Glacier expansion project (Arena 2) on Sunday, October 16, 2011 and it was well attended. She expressed appreciation to the Community Services Department and all others that were involved for all of their efforts.

11-10-700 Welcome to MHA Steve Kent

Mayor Simms welcomed MHA Steve Kent to the meeting and congratulated him on his recent victory as the member for Mount Pearl North and also congratulated him on the birth of his second child born on Election Night, October 11, 2011.

PROCLAMATIONS/PRESENTATIONS

None noted.

CORRESPONDENCE

None noted.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE REPORT

11-10-701 Mount Pearl Sports Hall of Fame
 Call for Nominations – Deadline October 31, 2011

Council was advised that the Mount Pearl Sport Alliance is calling on nominations of individuals, teams and organizations for induction in the 2011 Sports Hall of Fame noting that the deadline for nominations is Monday, October 31, 2011. The winners will be honoured at the annual Mount Pearl Sports Hall of Fame and Senior Athlete of the Year Awards Ceremony.

11-10-702 2011 PRO Aquatics Conference & Trade Show
Muskoka, Ontario – November 2-4, 2011

Motion - Councillor Tessier/ DM Locke

RESOLVED THAT approval be granted for the Director of Community Services to attend the Parks and Recreation Ontario 2011 PRO Aquatics Conference in Muskoka, Ontario from November 2-4, 2011 in accordance with the City's professional development and training policy.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE REPORT

11-10-703 Tax Deferrals – Low Income Earners

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be given for tax deferral of the following, in accordance with Council's policy for low income earners:

Roll Number	Amount Deferred
3345837-0-0180-000	\$959.89
3345952-0-0290-000	\$1,254.29
3345400-0-0060-000	\$906.69
3345277-0-0200-000	\$1,372.04

Question called. Motion carried unanimously.

11-10-704 Invoices for Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	BSB Electrical Services Limited (Progress Payment #3 – Squires/Team Gushue Fields Lighting)	\$46,751.70
2.	P. Sullivan & Sons Limited (Multiplex CP3A)	\$29,811.32
3.	Weir's Construction Limited (Mount Carson Upgrading CP2)	\$221,072.99
4.	Weir's Construction Limited (Mount Carson Upgrading CP1)	\$171,450.61

5.	E.C. Boone Limited (Gateway Signage – Pymt Certificate #3)	\$21,976.85
6.	James J. Piccott Equipment Rentals (Equipment Rental for Culvert Cleaning – Powers Pond/Waterford River)	\$14,658.30
7.	Russell's Land Design (Geautification – October progress payment)	\$11,378.50
8.	Lighting & Traffic Systems Limited (Repairs to traffic signals from August 1-12, 2011)	\$7,402.13
9.	Bae-Newplan Group Limited (Traffic Improvements – Smallwood Drive Rec Facility)	\$5,167.18
10.	Bae-Newplan Group Limited (2011 Street Upgrading)	\$69,925.64
11.	Bae-Newplan Group Limited (2010 Street Upgrading)	\$25,834.72
12.	Platinum Construction Co. Limited (Progress Claim #1 – Greenwood Crescent Bridge Upgrade)	\$57,626.02
13.	Electronic Centre Limited (Video Surveillance of Glacier & New Ice Pad)	\$17,362.45`
	TOTAL	\$700,418.41

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION AND TOURISM COMMITTEE REPORT

11-10-705 Chamber of Commerce – Best in Business Awards Banquet
Wednesday, October 19, 2011

Council was advised that the Chamber of Commerce Best in Business Awards Banquet will be held at 7:00 p.m. on Wednesday, October 19, 2011 at the Reid Community Centre. It will be the first Awards Banquet sponsored by the newly formed Mount Pearl-Paradise Chamber of Commerce. The following are the six award categories:

- Outstanding Business of the Year
- Small Business of the Year
- Innovation
- Customer Service Excellence
- Community Spirit
- Employee of the Year

The sponsors for this year are Business Development Bank of Canada, CIBC, TD Bank and Feltham, Attwood Accountants. The keynote speaker at this year's event is Mr. Tim Powers, Vice-President of Summa Strategies Canada who is also a media commentator with CBC News and Globe and Mail.com.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

11-10-706 Proposed Site Work
Irving Energy Distribution and Marketing
63 Clyde Avenue

Motion – Councillor Aker/Councillor Lane

RESOLVED THAT the application by Irving Energy Distribution and Marketing, proposing to undertake maintenance work and erect a flare stack on the existing propane plant at 63 Clyde Avenue be approved subject to the following conditions:

- 1) St. John's Regional Fire Department conditions;
- 2) Newfoundland Power's conditions;
- 3) Department of Environment and Conservation - Industrial Compliance Division's conditions;
- 4) Department of Environment and Conservation – Environment Assessment Division's conditions;
- 5) City Inspector's conditions;
- 6) Engineering Services conditions;
- 7) The development meeting Mount Pearl Development Regulations, 1988;
- 8) The development and subsequent operation of the site to adhere to the submitted Irving Energy Distribution and Marketing – Emergency Response plan; and
- 9) The development and subsequent operation of the site to adhere to a Communication Protocol in regards to the operation of the flare stacks.

Question called. Motion carried unanimously.

11-10-707 Mount Pearl Municipal Plan (City Plan) 2010 and Mount Pearl Municipal Plan Amendment No. 91, 2011; and Mount Pearl Development Regulation 2010 and Mount Pearl Development Regulation Amendment No. 211, 2011 (Glendale Gardens Rural Amendment)

Motion – Councillor Aker/Councillor Lane

RESOLVED THAT in order to bring the Mount Pearl Municipal Plan 2010 as amended by Mount Pearl Municipal Plan Amendment No. 91, 2011 and the concurrent associated Mount Pearl Development Regulations 2010 as amended by Mount Pearl Development Regulation Amendment No. 211, 2011, the following actions are recommended:

- 1) That the Commissioner's reports of May 11, 2011 and October 1, 2011 be accepted by Council;
- 2) That the Mount Pearl Municipal Plan 2010 as amended by Mount Pearl Municipal Plan Amendment No. 91, 2011 be approved by Council; and
- 3) That the Mount Pearl Development Regulations 2010 as amended by Mount Pearl Development Regulation Amendment No. 211, 2011 be approved by Council.

Question called. Motion carried unanimously.

11-10-708 Mount Pearl Municipal Plan 2010 Amendment No. 1, 2011; and Development Regulation 2010 Amendment No. 1, 2011 (291 Old Placentia Road – Office Buildings Amendment)

Motion – Councillor Aker/Councillor Lane

RESOLVED THAT the Mount Pearl Municipal Plan 2010 Amendment No. 1, 2011 and the Mount Pearl Development Regulation 2010 Amendment No. 1, 2011 (291 Old Placentia Road – Office Buildings Amendment) be approved.

Question called. Motion carried unanimously.

11-10-709 Development Permit List

Motion – Councillor Aker/Councillor Lane

RESOLVED THAT the Development Permit list for the period of October 3-14, 2011 be accepted as presented.

Question called. Motion carried unanimously.

11-10-710 Building Permits

Motion – Councillor Aker/ Councillor Lane

RESOLVED THAT building permits issued for the period of September 16 to 30, 2011, showing a total construction value of \$3,966,806.00 be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

11-10-711 Sympathy to the Noseworthy Family

Councillor Stoyles expressed sympathy to the Noseworthy family, on the passing of Mrs. Dorothy Noseworthy, a long-term resident of Mount Pearl. It was noted that Mrs. Noseworthy is the grandmother of Jason Silver, the Director of Corporate Services.

11-10-712 Senior's Independence Group

Councillor Stoyles advised that she attended the Mount Pearl Senior's Independence Group Afternoon Tea and Entertainment on October 5, 2011. She advised that this group is growing in numbers and offers a lot of programs and activities for all seniors.

11-10-713 Outstanding Community Service Award

Councillor Stoyles advised that she attended the MUN Alumni Tribute Awards Dinner and Ceremony and congratulated all recipients of the awards. Special recognition was given to Mayor Fred Best, Mayor of the Town of Clarenville, who won the Outstanding Community Service Award. It was recommended that a congratulatory letter be sent to Mayor Best.

11-10-714 Congratulations to Elected MHA's

Council extended congratulations to Councillor Paul Lane on his recent election as MHA for the District of Mount Pearl South. Congratulations were also extended to MHA's Steve Kent (Mount Pearl North) and Paul Davis (Topsail) on their re-election.

Best wishes and appreciation were extended to outgoing MHA Dave Denine in recognition of his efforts during his terms in office.

11-10-715 Potential Candidates

Councillor Walsh wished the potential candidates good luck in the upcoming by-election for the City of Mount Pearl. He also acknowledged the presence of one potential candidate, Mr. Andrew Ledwell.

11-10-716 Leaf Composting Project

Councillor Walsh advised that all households in Mount Pearl should have received a package of clear plastic bags for leaf composting. Residents are encouraged to use them to try to divert as much as we can from the landfill.

11-10-717 Lane Closed

Councillor Walsh inquired on the status of the lane closure on Topsail Road. Staff will investigate and provide details of the closure to Council.

11-10-718 Maxx Corporate Challenge

Councillor Tessier advised that several staff members took part in the Maxx Corporate Challenge last week and they raised \$500. The program is managed by Community Services to provide financial assistance to families in Mount Pearl who utilize the P.E.A.R.L Program for their recreational programs, who without this funding, would not be able to participate.

11-10-719 Director of Infrastructure and Public Works

Councillor Tessier acknowledged the contribution of Scott Lush, who resigned as the Director of Infrastructure and Public Works to take a position in the public sector. Council wished Mr. Lush well in his career and expressed that he will be missed by his colleagues.

It was also noted that until this position is filled, Jason Silver, current Director of Corporate Services, will provide any high level direction or communication from the CAO and Council to the Infrastructure & Public Works Department when needed and the current IPW team of supervisors and employees will continue in their present capacity.

11-10-720 Remarks by Councillor Paul Lane

Councillor Lane acknowledged the conclusion of his term of office with the City of Mount Pearl in light of his recent election as MHA for Mount Pearl South and officially gave his resignation as Councillor with the City of Mount Pearl. He expressed his appreciation to council, staff and residents and also acknowledged the presence of former Mayor Steve

Kent. He stated that as MHA, he will continue to be a strong voice for Mount Pearl.

11-10-721 Remarks – Mayor Simms

Mayor Simms expressed his appreciation to former Councillor Lane for his contribution as Councillor and Deputy Mayor of the City of Mount Pearl stating that Mr. Lane has a passion for his community and is confident that he will remain a strong advocate for the City of Mount Pearl.

11-10-722 By-Election

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT in accordance with the provisions of the *Municipal Elections Act*, a by-election be held on Tuesday, November 22, 2011 between the hours of 8:00 am and 8:00 pm to fill the current vacancy on the City of Mount Pearl Council.

BE IT FURTHER RESOLVED THAT candidates will be received between the hours of 9:00 am and 4:00 pm on Friday, October 28, 2011 and Monday, October 31, 2011.

Discussion – It was noted that candidate signs are not permitted to be erected until 30 days before the election on either private or public property.

Question called. Motion carried unanimously.

11-10-723 Street Work – Old Placentia Road/Smallwood Drive

Deputy Mayor Locke expressed his concerns and frustrations on the level of street work that continues during rush hour traffic. He suggested that the policy be reviewed and other options be considered regarding having the machinery taken off the road during the busy rush hours. It is recommended that this issue be brought to the Public Works Committee for further discussion.

11-10-724 Amalgamation

Mayor Simms advised that some information relating to a report on the issue of amalgamation commissioned by the City of St. John's has been leaked to the media. The report itself has not yet been released by the City of St. John's.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:30 pm on a motion by Councillor Walsh and seconded by Councillor Stoyles.

Chairperson

Human Resources Assistant