

## **PUBLIC COUNCIL MEETING MINUTES**

**October 4, 2011**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on October 4, 2011 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

### STAFF PRESENT

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

Councillor Paul Lane absent – on a leave of absence until after the provincial election.  
The Director of Corporate Services was absent.

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

11-10-665     Adoption of Agenda

Motion – Deputy Mayor Locke /Councillor Walsh

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

11-10-666     Adoption of Minutes

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held on September 20, 2011 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

### BUSINESS ARISING/ACTION REPORT

No business arose from the previous meeting. The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

11-10-667 Fire Prevention Week

Mayor Simms signed a proclamation declaring October 9 – 15, 2011 as Fire Prevention Week in the City of Mount Pearl.

Inspector Cara Pardy and Superintendent Derek Chafe of the Regional Fire Department were in attendance. Inspector Pardy expressed appreciation to residents and council for supporting Fire Prevention Week. The schedule of events for the week was presented. It was noted that the parade will be held on October 8, 2011 commencing at 10:00 am in St. John's and concluding in Mount Pearl.

11-10-668 World Breastfeeding Week

Mayor Simms signed a proclamation declaring October 1 – 7, 2011 as World Breastfeeding Week in the City of Mount Pearl. Ms. Bev Clarke, Eastern Health, spoke on behalf of the group, outlining the importance of breastfeeding and the establishment of breastfeeding friendly facilities.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

Mayor Simms advised of the new configuration of council's standing committees.

COMMUNITY SERVICES COMMITTEE

11-10-669 Oktoberfest Craft Fair  
October 10, 2011

The public is advised that the annual Oktoberfest Craft Fair takes place on October 10, from 10:00 am to 4:00 pm at the Reid Community Centre. Admission is \$2 (children under 12 years admitted free of charge). There will be a sausage and sauerkraut luncheon provided by the Marconi Girl Guides as well as a children's craft area. For further information please contact Krista Tucker at 748-1008.

11-10-670 Official Opening of Glacier Ice Pad  
October 16, 2011

Residents are invited to the official opening of the Glacier Expansion Project at the Glacier (Arena 2) on Sunday, October 16, 2011 at 2:00 pm.

11-10-671 Portraits of Honour  
October 27, 2011

Portraits of Honour is a Tour which is a tribute to Canada's fallen soldiers, displaying a mural stretching 10 feet tall by 40 feet wide and features the faces of the 156 Canadian soldiers, sailors and aircrew who lost their lives in Afghanistan.

The City of Mount Pearl is pleased to be hosting this tour at the Track and Field Complex on Thursday, October 27, for the day. This initiative is being coordinated by the Mount Pearl Kinette and Kinsmen Clubs with support from the Department of Community Services.

Invitations have been extended to those who have served, veterans, as well as the family of Warrant Officer Richard Nolan.

11-10-672 Fire Prevention Week – Parade  
October 8, 2011

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted for the Regional Fire Department to hold its annual Fire Prevention Week Parade on October 8, 2011 in accordance with the specified route.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

11-10-673 Low Income Earner  
Roll # 3345601-1-0170-000

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to defer taxes in the amount of \$1,073.72, for roll # 3345604-1-0170-000, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

11-10-674 Professional Development & Training  
Councillor Stoyles

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, of Councillor Stoyles' attendance at the following meetings:

1. MNL Eastern Regional Meeting  
 September 23 and September 24  
 Marystown, NL
2. MNL Northern Regional Meeting  
 September 30 and October 1  
 St. Anthony, NL

Question called. Motion carried unanimously.

11-10-675 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Mount Pearl Senior Blades (Sponsorship - Mount Pearl Senior Hockey Team)	\$ 5,000.00
2.	Toromont Cat (Supply & Installation of Emergency Generator - Depot)	\$ 217,496.75
3.	Power Vac-Belfor (Hurricane Igor Damages Track & Field/Basement Carpet)	\$ 7,232.00
4.	Construction Signs Limited (Hi-Intensity Signs & Hazard Markers)	\$ 5,570.90
5.	E. Tucker & Sons Ltd (Line Bore Frame & Bush for Case Loader - Unit 624)	\$ 5,658.50
6.	E. Tucker & Sons Ltd (Line Bore Frame & Bush for Case Loader - Unit 625)	\$ 5,545.50
7.	Tucker Electronics Limited (Supply & Install AMX Digital Signage Unit/LCD Monitors)	\$ 7,355.75
8.	Grand Concourse Authority (Squires Ballfield/Dugout Project)	\$ 10,427.88
9.	Bristol Specialties Inc. (Supply & Install Dasherboards - Glacier Arena)	\$ 21,628.20
10.	Bemisters Janitorial Services Inc. (Cleaning Services for May 2011)	\$ 14,616.55
11.	OES Inc. (VenuRun System @ Glacier)	\$ 9,666.05
12.	Atlantic Lock & Security Inc. (Supply & Install Double Doors - Glacier)	\$ 7,565.35
13.	Provincial Fence Products Ltd. (Supply & Install Metal Toilet Partitions - Glacier)	\$ 11,941.84
14.	Aqua Plumbing & Heating (Replace Countertops/Faucets Washrooms - Glacier)	\$ 21,500.00

15.	Arena Board of Management (Extra Hydro Costs for Glacier/Smallwood)	\$ 56,000.00
	TOTAL	\$ 407,205.27

Question called. Motion carried unanimously.

#### ENGINEERING SERVICES COMMITTEE

11-10-676 Tender Award - 2011 Street Upgrading

Motion – Councillor Stoyles/Councillor Tessier

RESOLVED THAT the tender for the 2011 street upgrading project be awarded to the lowest, qualified bidder, Modern Paving, in the amount of \$1,781,856.89 (excluding HST).

Question called. Motion carried unanimously.

#### PLANNING & LAND USE DEVELOPMENT COMMITTEE

11-10-677 Road Closure and Revised Street Naming  
Mount Carson Avenue Realignment and Upgrading

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT the following actions be carried out as a result of the Mount Carson Avenue realignment and upgrading:

1. pursuant to the Section 191 of the City of Mount Pearl Act, close those portions of Mount Carson Avenue, Grangel Road, and Wyatt Boulevard no longer required for public road purposes;
2. conclude the transfer of the lands of the portions of the former public road no to the adjoining property owners;
3. name the full length of the realigned road as Mount Carson Avenue; and
4. assign a new civic address for Avalon Ford, from 80 Wyatt Boulevard to a Kenmount Road civic address.

Discussion: Council was advised that the Grangel Road street name will be re-assigned to another road in the area when one becomes available.

Question called. Motion carried unanimously.

11-10-678     Request for Acquisition of City-Owned Land  
84 Smallwood Drive

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT approval be granted to transfer the narrow strip of City-owned land at the rear of 84 Smallwood Drive to the property owner of 84 Smallwood Drive in exchange for the cost of the survey and legal costs related to the deed of conveyance and registration.

Question called. Motion carried unanimously.

11-10-679     East Port Properties Limited  
Beclin Industrial Park Extension – Phase 2  
Subdivision Development Agreement

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT approval be granted for the Mayor and Chief Administrative Officer to sign the Beclin Industrial Park Extension – Phase 2 Subdivision Development Agreement on behalf of the City Council of Mount Pearl.

Question called. Motion carried unanimously.

11-10-680     Variance Request – 52 Castors Drive  
Minimum Building Line Setback Development Standard

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT the variance request to reduce the minimum building line setback standard at 52 Castors Drive to 7.2 metres, to accommodate a dwelling extension be approved and a development permit be 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; and
4. Planning Services requirements.

Question called. Motion carried unanimously.

11-10-681     City Purchase of Property  
                  107 Smallwood Drive

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT the purchase of 107 Smallwood Drive be approved in the amount of \$287,500 and action taken to have the legal conveyance of the property carried out by the City's solicitor.

Discussion: It was noted that the intent is to obtain the land to improve the access/entrance to the Team Gushue Complex. The dwelling has no value to the City.

Question called. Motion carried unanimously.

11-10-682     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 text of the Mount Pearl Development Regulations 1988, that, if enacted, will:

1. In Schedule C amend the conditions section of the residential use zones as follows:

In the section titled "Accessory Buildings ", delete condition (ii) and replace with the following;

*The maximum floor area of accessory buildings shall be 7% of the lot coverage up to a maximum of 55.75 m<sup>2</sup> [600 square feet];*

The purpose of the proposed amendment is to revise the condition with respect to the maximum size of accessory buildings on residential lots.

11-10-683     Development Permits

Motion – Councillor Aker/ Deputy Mayor Locke

RESOLVED THAT development permits issued for the period of September 19 - 30, 2011 be approved as presented.

Question called. Motion carried unanimously.

11-10-684     Building Permits

Motion – Councillor Aker/ Deputy Mayor Locke

RESOLVED THAT building permits issued for the period of September 16 - 30, 2011 showing a total construction value of \$712,100.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

11-10-685     Provincial Election

Councillor Tessier extended best wishes to the candidates running in the provincial election.

11-10-686     MHA Dave Denine

Members of council extended appreciation to Minister Denine for his efforts for the residents of Mount Pearl during his term of office. It was requested that the Director of Community Services consider plans to recognize Mr. Denine's contribution to the municipal and provincial levels of government.

11-10-687     Condolences

Deputy Mayor Locke extended condolences to the family of the Boyd Legge and asked that a letter of sympathy be forwarded by Mayor Simms.

11-10-688     Dr. Wade Locke – Study

Councillor Stoyles advised that the study by Dr. Wade Locke has been released. Dr. Locke was retained by MNL to examine the current financial and taxation situation of municipalities and to investigate new long-term sources of revenue. Further information is available on the MNL website ([www.municipalitiesnl.com](http://www.municipalitiesnl.com)).

11-10-689     Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles presented the minutes from the last NEAJC meeting. She advised that the next meeting is scheduled for October 19 in Bay Bulls.



11-10-690 Mayor Churence Rogers, Town of Centreville-Wareham-Trinity  
President Elect MNL

Councillor Stoyles advised that Mayor Churence Rogers will be the new MNL President and requested a letter of congratulations be forwarded by Mayor Simms.

11-10-691 Bulk Garbage

Councillor Stoyles advised that bulk garbage is being collected on a timely basis. She noted that as a result of the recent high winds, some loose cardboard has ended up along the roadways and should be collected.

11-10-692 Nancy Riche

Councillor Walsh extended condolences to the family of Nancy Riche and recognized Ms. Riche as being a strong advocate for women as well as her involvement in politics. Councillor Tessier also extended her condolences, noting that Ms. Riche always encouraged others to stand up for themselves.

11-10-693 Under 14 National Soccer Tournament

Approval was granted for the opening ceremonies (October 5, 2011) for the above tournament to be held inside the Smallwood Arena should the weather be inclement.

11-10-694 Children's Wish Foundation  
Wishmaker Parade

Councillor Aker advised that the Wishmaker Parade will be held on October 15 at the Pearlgate Track & Field Complex. (Registration – 9:30 am)

11-10-695 MNL Avalon Regional Meeting

Councillor Stoyles advised that the MNL Avalon Regional Meeting will be held in Mount Pearl on October 14 and 15, Hotel Mount Pearl.

ADJOURNMENT

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

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Chairperson

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Deputy Clerk