

PUBLIC COUNCIL MEETING MINUTES
October 5, 2010

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on October 5, 2010 at 4:15 pm.

MEMBERS PRESENT

Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor John Walsh
Councillor Paul Lane
Councillor Paula Tessier
Councillor Dave Aker

STAFF PRESENT

Gerard Lewis, CAO
Michele Peach, Director, Corporate Services
Ray Osmond, Director, Community Services
Scott Lush, Director, Infrastructure & Public Works
Bronda Aylward, Manager, Econ. Development
Mona Lewis, Deputy City Clerk

Mayor Simms and the Director of Planning & Development were absent.

Deputy Mayor Locke chaired the meeting.

10-10-742 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-10-743 Adoption of Minutes

Motion – Councillor Lane/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on September 28, 2010 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

10-10-744 Household Hazardous Waste Days Program

Council was advised of a meeting with MMSB and representatives from both the City of Mount Pearl and the Town of Conception Bay South to discuss the loss of the Household Hazardous Waste Days program and its impact on the municipalities. Following this meeting, a report will be provided to Council.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

10-10-745 World Breastfeeding Week

Deputy Mayor Locke signed a proclamation declaring the week of October 1 – 7, 2010 as World Breastfeeding Week in the City of Mount Pearl. Ms. Vicki Kaminski, Eastern Health, spoke on behalf of the organizing group, outlining the importance of breastfeeding.

10-10-746 Toastmasters Month

Deputy Mayor Locke signed a proclamation declaring the month of November as Toastmasters Awareness Month in the City of Mount Pearl. Mr. Ken Lawrence, President of Toastmasters, highlighted the principles of the organization.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE

10-10-747 Oktoberfest Craft Fair

The annual Oktoberfest Craft Fair will be held on Monday, October 11th from 10:00 am to 4:00 pm at the Reid Community Centre. It's a great opportunity to get fantastic gifts and home decor. Admission is \$2 (children under 12 years admitted free of charge). Enjoy a sausage and sauerkraut luncheon in our refreshment garden, and there will also be a children's craft area. For more information please call Krista at 748-1008.

CORPORATE SERVICES COMMITTEE

10-10-748 Athletic Business Conference & Expo
San Diego, CA
December 2-3, 2010

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Councillor Lane to attend the Athletic Business Conference & Expo being held in San Diego, California from December 2-3, 2010.

Question called. Motion carried unanimously.

10-10-749 Institute of Public Administration of Canada (IPAC)
National Leadership Conference
Toronto, ON
November 4-5, 2010

Motion – Deputy Mayor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for the Director of Corporate Services to attend the IPAC – National Leadership Conference being held in Toronto, ON from November 4-5, 2010.

Question called. Motion carried unanimously.

10-10-750 Help for Home Fundraiser - Donation

Motion – Deputy Mayor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$1,000 donation to Help for Home, a fundraiser for the victims of Hurricane Igor.

Discussion: It was noted that the donation matches the amount raised by the City of Mount Pearl employees and that CUPE Local 2099 contributed \$500.

Question called. Motion carried unanimously.

10-10-751 Request for Proposal (RFP)
Copier/Printer

Motion – Deputy Mayor Lane/Councillor Tessier

RESOLVED THAT approval be granted to award the RFP for a Copier/Printer for the Reid Community Centre to the lowest, qualified bidder, Pinnacle Office Solutions, for the monthly amount of \$229.23 (plus HST).

Question called. Motion carried unanimously.

10-10-752 Invoices for Council Approval

Motion – Deputy Mayor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Newcap Inc. (Summer Expo 2010 - Advertising)	\$ 16,950.00
2.	Bae Newplan Group Limited (Mount Carson Upgrade Phase 1)	\$ 48,063.86
3.	Bae Newplan Group Limited (Bruce Street/Glencoe Drive Traffic Study)	\$ 12,731.82
4.	Bae Newplan Group Limited (2010 Street Upgrading)	\$ 95,736.69
5.	Bae Newplan Group Limited (2008 Street Upgrading)	\$ 21,660.24
6	Magna Contracting & Management Inc. (Progress Claim No.14 - Foundations & Building Envelope)	\$ 54,058.01
7.	Magna Contracting & Management Inc. (Progress Invoice No.6 - Glacier Arena Expansion CP2)	\$ 744,193.50
8.	Future Shop (iPads)	\$ 11,158.53
	TOTAL	\$1,004,552.65

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

10-10-753 Glacier Arena Expansion
CP-2 (Interior Fit-Up), Change Order # 3

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT Change Order # 3 in the amount of \$31,225.49 be approved for the Glacier Arena Expansion CP-2.

Description of Changes

Door #101A Hardware changes	\$ 3,212.00
CCN#9 – Roof drains at 2 canopies	\$ 6,171.50
CCN#11 – Vacuum Lift Gate	\$ 4,116.20
CCN#13 – Dewatering rink slab during force account work	\$10,775.09
CCN#15 – Supply & install ammonia gas leak alarm	\$ 2,939.39
CCN#17 – Supply larger floor tile in main vestibule	\$ 2,261.88
CCN#19 – Additional telephone & data lines	\$ 1,749.43

Discussion: Council was advised that the project costs are being monitored and that an updated report will be presented outlining anticipated costs to complete the project. It was noted that there is approximately \$400,000 contingency funding remaining.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

10-10-754 CJ Enterprises
Home Based Business (Discretionary Use) and Renovations (Expansion and Nonconforming Use) – 872 Topsail Road

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT a development application from CJ Enterprises to renovate the existing single family dwelling and undertake site improvements at 872 Topsail Road be refused for the following reasons:

1. Pursuant to Regulation 10 of the Mount Pearl Development Regulations, the proposal does not constitute a home based business as envisioned by Council's Municipal Plan policies and Development Regulations and this type of development proposal will prejudice the transition of this property to a full commercial property as envisioned in the Mount Pearl Municipal Plan. An investment of this magnitude to the existing dwelling, which will result in the dwelling being partially used for both

residential and commercial purposes, will make the transition more difficult and less likely to occur in the foreseeable future.

2. The addition of the solariums at the front of the dwelling is increasing the gross floor area of the dwelling which is contrary to condition 10.1(vi) of the Mixed Development (MD) use zone of the Mount Pearl Development Regulations.

Discussion: It was noted that there are a number of properties that are in transition from residential to commercial. It is planned to move forward with developing such areas into proper commercial establishments.

Question called. Motion carried unanimously.

10-10-755 Confirmation of Order - Contravention of Regulations
Commercial General Garage Use and Parking of Taxi Cabs
2 Forest Avenue

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the Order to the property owner of 2 Forest Avenue regarding the use of an accessory building as a commercial general garage and the parking of a number of taxi cabs at the property, as issued on September 30, 2010, be ratified as per the Urban & Rural Planning Act 2000.

Discussion: Council was advised of discussions with and correspondence from the property owner since the Order was issued. While this correspondence is under review, no action will be taken. It was noted that a number of complaints have been received regarding this property.

Question called. Motion carried unanimously.

10-10-756 Development Permit List

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the development permits issued for the period of September 18 – October 1, 2010 be accepted as presented.

Question called. Motion carried unanimously.

10-10-757 Building Permit List

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT building permits issued for the period of September 18 – October 1, 2010, showing a total construction value of \$1,688,650.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

10-10-758 Condolences

Councillor Stoyles extended condolences to the family of the Honourable Dianne Whalen.

10-10-759 Children’s Wish Foundation – Run the Rock Fundraiser

Councillor Stoyles advised that she attended the Run the Rock Fundraiser for the Children’s Wish Foundation.

10-10-760 ATV’s/Dirt Bikes

Councillor Walsh reminded residents that it was illegal to operate ATV’s/dirt bikes within City boundaries. He commented that the area behind Westminster Drive was being frequented by these vehicles and requested that the municipal enforcement division patrol the area.

10-10-761 Bulk Garbage Collection

Residents were reminded that the last bulk garbage collection for 2010 started this week and will proceed in accordance with the route schedule. He noted that metals are collected separately and that household hazardous waste is not collected.

10-10-762 True Sport Community

Councillor Aker extended congratulations to the Sport Alliance in organizing the True Sport Symposium as well as noting the success and purpose of the event. It was indicated that signage has been designed and will be located throughout the City.

10-10-763 Girl Guides – 100th Anniversary Commemorative Monument

Deputy Mayor Locke extended congratulations to the Girl Guide Movement in recognition of their 100th Anniversary in Canada. He noted that he attended the unveiling of their commemorative monument that is located in Bowring Park.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:00 pm on a motion by Councillor Stoyles and seconded by Councillor Tessier.

Chairperson

Deputy City Clerk