

PUBLIC COUNCIL MEETING MINUTES
September 4, 2012

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on September 4, 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
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director of Community Services
Julia Schwarz, Manager, Planning & Development
Mona Lewis, Deputy City Clerk

STAFF ABSENT

Stephen Jewczyk, Director, Planning & Development

Mayor Simms chaired the meeting.

12-09-598 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-09-599 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on August 21, 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

12-09-600 Mount Pearl Arts Week Proclamation

Mayor Simms signed a proclamation declaring the week of September 15 - 22, 2012 to be Arts Week in the City of Mount Pearl.

Christine Hennebury, Chairperson, Association for the Arts in Mount Pearl, was in attendance and outlined the activities planned for the week and expressed appreciation to Council for their support. Council also extended appreciation to Ms. Hennebury and members of the Association for their efforts in promoting the arts in Mount Pearl. Further information is available on their website – www.aamp.ca.

12-09-601 Shine Day Proclamation

Mayor Simms signed a proclamation declaring September 7, 2012 as “Shine Day” in the City of Mount Pearl.

Ashley Hunt, the 2012 Shinerama Coordinator for MUN School of Nursing, was in attendance and outlined the purpose of Shine Week as well as planned activities.

12-09-602 Sexual Violence Awareness Week Proclamation

Mayor Simms signed a proclamation declaring September 17 – 21, 2012 as Sexual Violence Awareness Week in the City of Mount Pearl.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE REPORT

12-09-603 Arena Board of Management - Operating Subsidy

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted to release the third (final) installment of the 2012 operating grant, in the amount of \$28,200, to the Arena Board of Management.

Question called. Motion carried unanimously.

12-09-604 Fall Activity Guide 2012

It was noted that the Fall Activity Guide, containing information on programs and community events, has been distributed to households.

12-09-605 MUN Sea Hawks
Volleyball Camp at City School/Facility

Council was advised that the MUN Sea Hawks recently held a volleyball program in the City and used the beach volleyball court on Ruth Avenue.

12-09-606 Mount Pearl Soccer Association

Congratulations were extended to the Mount Pearl - Girl's U14A, Boys U14 and Girls U16 teams on winning recent Provincial Championship Games. All teams will now move forward to compete in national tournaments.

12-09-607 Induction – Dave Legrow – NL Soccer Association Hall of Fame

Congratulations were also extended to Dave Legrow for being inducted into the NLSA Hall of Fame; the official ceremony will be held November 17 in St. John's. Mr. Legrow's involvement with soccer was highlighted with appreciation.

12-09-608 Planters & Concrete Flower Pots

It was noted that the planters/flowers at the various intersections have enhanced the aesthetics of the City and have been acknowledged positively by many residents.

CORPORATE SERVICES COMMITTEE

12-09-609 Municipalities Newfoundland and Labrador (MNL) Convention
Gander, October 4 - 6, 2012 (CAO)

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the CAO to attend the MNL Convention being held in Gander from October 4 – 6, 2012.

Question called. Motion carried unanimously.

12-09-610 Municipal Assessment Agency (MAA)
Changes to Assessment Appeals

Council was advised of the following changes by MAA to the appeal process.

Residential Properties	\$25 fee to file an appeal (Previously required at the hearing process stage)
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Commercial Properties \$100 fee to file an appeal
 (\$75 increase)

Property owners will be advised of these changes via an insert with the 2013 assessment notices. Property owners will be provided a “no fee alternative” option whereby a request for a file review by the Assessment Agency can be made at any time, no charge.

12-09-611 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Bae-Newplan Group (Flood Proofing Study – period ending June 30, 2012)	\$ 9,226.83
2.	Coastline Specialties Limited (Plexipav System - Ruth Avenue Basketball Court)	\$ 23,391.00
3.	Dillon Consulting (Public Transit Study - period ending June 27, 2012)	\$ 10,693.76
4.	Kelloway Construction Ltd. (Cleaning Services July 2012)	\$ 11,959.16
5.	Lighting & Traffic Systems Ltd. (Install Nets at Squires Field)	\$ 9,745.19
6.	Lighting & Traffic Systems Ltd. (Install Nets at St. David's & Squires Fields)	\$ 10,848.54
7.	Lighting & Traffic Systems (Traffic Light Maintenance - July 2012)	\$ 8,977.25
8.	Marco Services (Recreation Multiplex CP3 - Progress Payment #3)	\$ 737,914.86
9.	St. John's Transportation Commission (Metrobus Services - July 2012)	\$ 77,531.77
10.	Pinnacle Office Interiors Limited (Tables and Table Carts for Glacier)	\$ 8,093.40
11.	Playteck Enterprises (Resurface Lines & Event Area - Track & Field Complex)	\$ 27,007.00
12.	Saunders Equipment Ltd. (Parts for Fleet Maintenance)	\$ 10,630.73
13.	Stanley Flowers Limited (Flower Pot Maintenance August 2012)	\$ 7,233.51
14.	Stantec Consulting Ltd. (Professional Services - 2010 Street Upgrading)	\$ 7,322.63
15.	Stantec Consulting Ltd. (Professional Services - Mount Carson Ave Upgrading)	\$ 5,525.12

16.	Stewart McKelvey (Professional Services)	\$ 26,970.62
	Total	\$ 993,071.37

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

12-09-612 Tender Award – 2011 Street Upgrading

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the 2011 Street Upgrading project to the lowest qualified bidder, Weir’s Construction, in the amount of \$1,275,190.20.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

12-09-613 Request for Increased Fence Height
15 Corte Real Place

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT a request by the property owners for an increased fence height for a portion of a rear yard fence at 15 Corte Real Place be approved.

Question called. Motion carried unanimously.

12-09-614 Proposed New Building and Consolidation of Land – DA12-0234
Hennebury Engineering Limited (On Behalf of Automotive Supplies Holdings)
1218-1226 Topsail Road

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT an application by Hennebury Engineering, on behalf of Automotive Supplies Holdings, to consolidate the lots at 1218-1220 and 1222-1226 Topsail Road into one parcel; construct a new building and complete associated site development 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’s conditions
4. Planning Services conditions
5. Engineering Services Division conditions

6. Mount Pearl Development Regulations 2010
7. Construction of a privacy fence and landscaping between the nearby seniors building and the development.

Question called. Motion carried unanimously.

12-09-615 Demolition of Existing Dwelling and New Single Detached Dwelling – DA12-00617
115 Commonwealth Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the development application to demolish the existing dwelling and construct a new single detached dwelling at 115 Commonwealth Avenue be refused for the following reasons:

1. The proposal to replace the existing non conforming use with a new non conforming use is in conflict with the Urban and Rural Planning Act, 2000 Part XII Non-Conforming Use, Newfoundland Regulation 2001, Development Regulations under the Urban and Rural Planning Act, 2000 Section 14, Residential Non Conformity.
2. The development proposal is contrary to the General Commercial land use polices of the Mount Pearl Municipal Plan 2010.
3. The development proposal is contrary to the Mount Pearl Development Regulations and more specifically is not a permitted or discretionary use within the Commercial-General (CG) Use Zone.

Question called. Motion carried unanimously.

12-09-616 Development Permit List

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the development permit list for the period of August 20 - 31, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-09-617 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of August 18 - 30, 2012, showing a total construction value of \$2,223,000.00 be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

12-09-618 Back to School

Councillor Ledwell extended best wishes to students for a successful school year and reminded drivers to be particularly alert in residential neighbourhoods and school zones.

12-09-619 Automated Collection Household Garbage

Councillor Walsh commented on the new signs at the entrances to the City notifying residents of the automated collection of household garbage. He noted that the project is being implemented in a planned and systematic approach.

12-09-620 Dave LeGrow – Induction to NLSA Hall of Fame

Members of Council reiterated their congratulations to Mr. LeGrow and commented on his accomplishments for the Mount Pearl and Provincial Soccer Associations.

12-09-621 Retirement – Judy Guy, Recreation Facilities (Swimming Pool) Manager

Members of Council extended congratulations and appreciation to Ms. Guy who recently retired from her position with the City after 34⁺ years of service.

12-09-622 Save Our People Action Committee (SOPAC)

Councillor Stoyles advised that SOPAC has launched a province-wide telephone number (1 855 896 6673) for the reporting of moose on the province's highways.

12-09-623 Homeless Person

Councillor Stoyles advised that the issue of a report of a person staying in the woods in the area off Dalton Avenue has been addressed by the authorities.

12-09-624 Automated Garbage Collection

Deputy Mayor Locke noted that the automated garbage collection system will provide a safer environment for the City's operators, i.e. decrease in injuries due to garbage being improperly bagged.

12-09-625 Memorial University – Geography Students

Deputy Mayor Locke advised he met with some Geography students as part of their field course requirements. He advised that the students were complimentary as to how well the City was planned (zoning & community planning; open spaces; active lifestyle; walking trails).

12-09-626 Soccer Association

Councillor Aker advised that in addition to being inducted into the Provincial Hall of Fame, Mr. (Dave) LeGrow would also be inducted into the Mount Pearl Hall of Fame along with Mike Mooney, Walt Mavin, Paul Miller, Ed Moyst and Andrew Moyst at a ceremony scheduled for October 19.

He also extended congratulations to the Association for hosting a successful Challenge Cup this past weekend.

He further advised that the Association will be hosting a MUN game in October 2012.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:00 pm on a motion by Councillor Walsh and seconded by Councillor Aker.

Chairperson

Deputy City Clerk