



**PUBLIC COUNCIL MEETING MINUTES  
September 6, 2011**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on September 6, 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  
Scott Lush, Director, Infrastructure & Public Works  
Brian Chmarney, Director, Community Services  
Jason Silver, Director, Corporate Services  
Mona Lewis, Deputy City Clerk

**Mayor Simms chaired the meeting.**

11-09-591     Adoption of Agenda

Motion – Councillor Walsh/Councillor Tessier

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

11-09-592     Adoption of Minutes

Motion – Councillor Stoyles /Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on August 23, 2011 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

11-09-593     Mount Pearl Arts Week Proclamation

Mayor Simms signed a proclamation declaring the week of September 10 - 17, 2011 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 some of 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.

11-09-594     Arthritis Awareness Month

Mayor Simms signed a proclamation declaring September as Arthritis Awareness Month in the City of Mount Pearl.

Marilyn Butt, a volunteer with the Arthritis Society, provided some information about the disease as well as outlined some of the planned activities/campaigns.

11-09-595     Sexual Violence Awareness Week Proclamation

Mayor Simms signed a proclamation declaring September 12 – 16, 2011 as Sexual Violence Awareness Week in the City of Mount Pearl.

Denise Hayes and Meghan Kennedy (volunteers – Sexual Awareness & Crime Prevention Centre) were welcomed. Ms. Hayes expanded upon the purpose of Sexual Violence Awareness Week as well as the planned activities.

11-09-596     Shine Week Proclamation

Mayor Simms signed a proclamation declaring September 5 – 11, 2011 as “Shine Week” in the City of Mount Pearl. It was noted that “Shine Day” takes place on September 9.

Rebekah King, the 2011 Shinerama Coordinator for MUN School of Nursing, was in attendance and outlined the purpose of Shine Week as well as planned activities.

CORRESPONDENCE

None presented.

## COMMITTEE REPORTS

### COMMUNITY SERVICES COMMITTEE

#### 11-09-597 Fall General Program Registration

It was noted that the fall general program registration started today at 8:15 AM – both online and onsite (Reid Community Centre). For more information on registration procedures, programs, activities and times, check the Fall Activity Guide, contact the Reid Community Centre at 748-1002, or visit [www.mountpearl.ca](http://www.mountpearl.ca).

It was confirmed that Mount Pearl residents had an opportunity to register for swimming lessons prior to non-residents. With reference to the online registration, it was indicated that it proceeded well with only minor problems that will be addressed by staff.

#### 11-09-598 2011 Fall Activity Guide - Quotations

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT the quotation for the typesetting, art work, design, printing and folding of the 2011 Fall Activity Guide be awarded to Transcontinental in the amount of \$8,534.00, plus HST.

Question called. Motion carried unanimously.

#### 11-09-599 Traffic Calmer – School Zones

The traffic calmers have been placed near Mary Queen of the World School on Topsail Road as well as on Ruth Avenue. They will be moved throughout the school zones on Jeffers Drive, Ashford Drive and Jackman Drive.

Discussion ensued on more forceful means of addressing speeding in school zones. It was requested that the Community Services Committee in consultation with the Public Works Committee consider the issue.

#### 11-09-600 Skate and Ride Park

Council was advised that the official opening of the Skate and Ride Park will take place on Thursday, September 15, 2011 at 5:00pm. Further details will be available on the City's website ([www.mountpearl.ca](http://www.mountpearl.ca)). It was requested that users who were involved in the design and plans be invited to the opening. Councillor Stoyles advised that she will be out of town and unavailable to attend the opening. Council noted that most users are wearing helmets. Appreciation was extended to all those involved in the plans and construction of the recreational park.

11-09-601     ARTFUSiON & Arts Week  
                  September 10-17, 2011

The 7<sup>th</sup> annual ARTFUSiON Festival, an afternoon of performances, displays and interactive art will be held on September 10<sup>th</sup> from 12-6 pm at Centennial Park. The 3<sup>rd</sup> annual Arts Week, 7 days of workshops and events for adults, youth and children runs from September 11-17. A full schedule will be posted at [www.aamp.ca/artfusion](http://www.aamp.ca/artfusion).

11-09-602     Provincial Election Polling Station Sites  
                  October 11, 2011

Council was advised that the Reid Community Centre and Park Place will be used as polling stations for the upcoming provincial election.

11-09-603     Park Patrol Shifts Ending

The Park Patrol will end their shifts on Thursday, September 8, 2011. Appreciation was extended to the Park Patrol for their excellent work in keeping the parks and walkways patrolled this past summer.

CORPORATE SERVICES COMMITTEE

11-09-604     Tax Deferral – Low Income Earner  
                  Roll # 33458820-0-1300-000

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to defer taxes in the amount of \$13,298.74, for roll # 33458820-0-1300-0, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

11-09-605     Professional Development & Training  
                  Councillor John Walsh

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Councillor Walsh to attend the National League of Cities (NLC) Congress of Cities & Exposition taking place in Phoenix, Arizona from November 9 – 13, 2011.

Question called. Motion carried unanimously.

11-09-606 Invoices for Council Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	New Line Skateparks Inc. (Design/Build Skate Park - Team Gushue Complex)	\$	265,801.84
2.	Bae Newplan Group Limited (Inv 14058 - Mount Carson Upgrade - Phase 1)	\$	19,055.04
3.	Bae Newplan Group Limited (Inv 14043 - Greenwood Crescent Bridge Upgrading)	\$	10,912.48
4.	Bae Newplan Group Limited (Inv 14041 - 2010 Street Upgrading)	\$	45,231.08
5.	Harris Ryan Chartered Accountants (Progress Billing for December 2010 Year End Audit)	\$	7,910.00
6.	Lighting & Traffic Systems Limited (Traffic Lights CP2 - Electrical - Progress Claim No. 3)	\$	5,982.81
7.	Stanley Flowers Limited (Supply & Maintenance - September 2011)	\$	10,959.87
8.	Case Atlantic (Parts for Loader)	\$	7,943.22
9.	City of St. John's (City's Share of 2010 Regional Waste/Water)	\$	188,550.50
	TOTAL	\$	562,346.84

Discussion: Reference was made to invoice (9) – City of St. John’s – and it was noted that this invoice is based on actual flows recorded at the Riverhead Treatment Facility in 2010 and that payment is being made on the understanding that a more equitable method of cost sharing is being explored by St. John’s, Mount Pearl and Paradise and the costs will be readjusted at a later date to take into consideration that all of St. John’s flows are not yet going through the system.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

11-09-607 Skateboard Park – Team Gushue Park  
 Change Order #2

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to process Change Order #2 for the Skateboard Park – Team Gushue Park project, credit of \$704.50.

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

11-09-608 Mount Pearl Development Regulations Amendment No. 213, 2011  
Light-Industrial Convenience Store Amendment

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Mount Pearl Development Regulations Amendment No: 213, 2011 (Light-Industrial Convenience Store Amendment) be adopted.

Question called. Motion carried unanimously.

11-09-609 Commercial Space Inventory Report  
Report for 2011

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Commercial Space Inventory Report for 2011 be accepted as presented and posted to the City's website.

Question called. Motion carried unanimously.

11-09-610 Variance Request – Reduction in Minimum Minor Side Yard Width Standard  
12 Dunrobin Street

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the variance request, that reduces the minimum minor sideyard width standard at 12 Dunrobin Street to 1.13 metres, to accommodate a single dwelling, be approved and a development permit 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.
4. Planning Services requirements.

Question called. Motion carried unanimously.

11-09-611     DCM Development  
Subdivision of Land and Replacement of a Single Dwelling with a Double Dwelling (Two Semi-Detached Units) – 3 Orchard Avenue

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the proposal by DCM Development to demolish the existing dwelling, subdivide and create two (2) building lots and develop a Double Dwelling at 3 Orchard Avenue be approved and that a development permit be issued subject to the following conditions:

1. Inspection Services conditions.
2. Engineering Services conditions.
3. City of Mount Pearl Finance Division conditions.
4. NL Power conditions.
5. Civic address 3 Orchard Avenue be assigned to Lot “A” (south lot) and civic address 3A Orchard Avenue be assigned to Lot “B” (north lot).

Question called. Motion carried unanimously.

11-09-612     MAE Design Ltd. (Gordon Development)  
Six-Lot Residential Subdivision - Farrell Drive

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for a six-lot residential subdivision on Farrell Drive and that a new development permit be issued in accordance with Regulation 63 of the City of Mount Pearl Development Regulations, 1988, the RHD and RMD Land Use Zone requirements and conditions as outlined and approved under the development permit issued in 2010.

Question called. Motion carried unanimously.

11-09-613     Widening of Driveway  
20 Scammell Crescent

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT an application to widen the driveway at 20 Scammell Crescent by 1.82 m to 5.5 m be approved, subject to City forces completing the curb cut down, all municipal regulations be met and that all appropriate fees be paid prior to giving approval on this permit.

Question called. Motion carried unanimously.

11-09-614     Proposed Gymnastics Building (Campia Gymnastics)  
21-27 Old Placentia Road

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT an application from Campia Gymnastics to occupy and use vacant city property located immediately East of 19 Old Placentia Road at 21 – 27 Old Placentia Road for the purpose of constructing a new building with associated site improvements for use as a gymnastic club be approved and a development permit be issued subject to:

1. submission of more detailed plans by Campia Gymnastics,
2. Campia Gymnastics entering an agreement with the City regarding the use of the City-owned property at 21-27 Old Placentia Road;
3. the development meeting the standard development regulations and requirements of the City of Mount Pearl; and
4. the development meeting the conditions and requirements as set out by the Planning and Development Department, the Community Services Department and the Engineering Services Division.

Question called. Motion carried unanimously.

11-09-615     Hillside Living Subdivision Development – Phase 1A2  
Subdivision Development Agreement

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for the Mayor and Chief Administrative Officer to sign the Hillside Living Phase 1A2 Subdivision Development Agreement on behalf of the City Council of Mount Pearl.

Question called. Motion carried unanimously.

11-09-616     Confirmation of Orders  
Regarding 7 MacCarthy Crescent and 29 Burrage Avenue

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the Orders to the property owners of 7 MacCarthy Crescent as issued on August 30, 2011, and 29 Burrage Avenue as issued on September 2, 2011 be ratified.

Question called. Motion carried unanimously.



11-09-617     Development Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT development permits issued for the period of August 19 to September 2, 2011 be approved as presented.

Question called. Motion carried unanimously.

11-09-618     Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of August 22 – September 2, 2011 showing a total construction value of \$1,017,600.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

11-09-619     School Opening – Motorists

Councillor Tessier urged drivers to use caution and keep safety in mind as students return to school.

11-09-620     Development

Councillor Lane suggested that consideration be given to rezoning areas, such as Blackmarsh Road, to a commercial or office use. He indicated that given the limited residential development available this would be a way to increase the tax base.

11-09-621     Leave of Absence

Councillor Lane advised that when the writ is issued (September 20, 2011) for the Provincial Election he will commence a leave of absence from Council.

11-09-622     Park Patrol

Deputy Mayor Locke questioned whether consideration was given to extending the use of the park patrol until later in the fall given the opening of school and the possibility of increased activity in the trails. It was indicated that Community Services would investigate the option.

11-09-623     Traffic Lights

In response to Deputy Mayor Locke, it was noted that the City's traffic lights have some form of traffic activation, either buried (most dependable and installed well below the surface) or surface (installed very close to the surface of the asphalt in saw cuts). At present most of our traffic loops are of the surface variety, however, each year some are removed and replaced with buried detectors. This year the loop detectors at Smallwood/Old Placentia and Ruth/Old Placentia are being upgraded.

11-09-624     Animal Control

Councillor Stoyles advised of a report of an untethered dog on a trail off Park Avenue. It was requested that animal control patrol the area.

11-09-625     Church of the Good Shepherd

Councillor Stoyles advised of a weekly (Wednesday) free community lunch program run by the Church of the Good Shepherd Parish.

11-09-626     Soccer Challenge Cup Teams

Councillor Walsh extended congratulations to the men's and ladies Challenge Cup teams on well played games.

11-09-627     Condolences – Fleet Family

Councillor Walsh extended condolences to the Fleet family, in particular to Harold Fleet Jr., a City employee, on the passing of Harold Fleet Sr. It was noted that Mr. Fleet was a very involved in Mount Pearl and also served as a member of council for a year.

11-09-628     Campia Gymnastics – Building Proposal

Councillor Walsh extended appreciation to all involved in the Campia Gymnastics building proposal and public consultation process. He noted that it will be a great development for the city and the surrounding area.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:25 pm on a motion by Councillor Aker and seconded by Councillor Lane.

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Chairperson

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Deputy Clerk