



**PUBLIC COUNCIL MEETING MINUTES  
February 9, 2010**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on February 9, 2010 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

Gerard Lewis, CAO  
Michele Peach, Director, Corporate Services  
Ray Osmond, Director, Community Services  
Stephen Jewczyk, Director, Planning & Development  
Scott Lush, Director, Infrastructure & Public Works  
Mona Lewis, Deputy City Clerk

**Mayor Simms chaired the meeting.**

10-02-069     Adoption of Agenda

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-02-070     Adoption of Minutes

Motion – Councillor Aker/Councillor Lane

RESOLVED THAT the minutes of the public meeting held on January 26, 2010 be adopted as presented

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

## BUSINESS ARISING

### 10-02-071 Amended Traffic Regulations

Council commented on the positive response to the amended Traffic Regulations (increase in fine to \$100 re parking in designated mobility impaired parking spaces). It was indicated that should it become evident that there are repeat offenders; an increase in fine for repeat offences will be pursued.

## ACTION REPORT

The action report was accepted as presented.

## PROCLAMATIONS/PRESENTATIONS

### 10-02-072 International Development Week

Mayor Simms signed a proclamation declaring February 7 – 13, 2010 as International Development Week in the City of Mount Pearl. Mayor Simms indicated Council's support of providing expertise (staff) to assist with the reconstruction efforts in Haiti.

## CORRESPONDENCE

### 10-02-073 Atlantic Mayors Congress

At the Atlantic Mayors Congress meeting of January 29 (attended by Councillor Lane), the members called upon the Atlantic Canada members of Parliament to show their support by committing publicly to sustaining federal infrastructure investments, particularly the permanent gas tax fund, the GST refund and the Building Canada Fund and extending the deadline for completion of projects under the stimulus fund to December 31, 2011.

It was agreed that Council would support the efforts of the Atlantic Mayors Congress on this issue and forward a letter to this effect to the Province's Members of Parliament as well as the Honourable Peter McKay (NL's representative) and the Senators.

## COMMITTEE REPORTS

### PUBLIC WORKS COMMITTEE

### 10-02-074 Animal Control Reports

The animal control reports for October, November and December 2009 were presented.

10-02-075     Tender – Plough Trucks

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the tender for the supply and delivery of two tandem plough trucks with pre-wet systems be awarded to Harvey & Company, the lowest, qualified bidder, in the amount of \$443,893.38.

Discussion: Council advised that the use of this type of equipment will lead to a reduction in the amount of salt used, provide a faster response time, and be more environmentally friendly. It was noted that the equipment will be used on the City's main arteries.

It was indicated that the low bid (Western Trucks) did not meet specifications as it didn't have a servicing component. There was also an issue related to installation/removal of the brine system.

Question called. Motion carried unanimously.

10-02-076     Notice of Motion  
Taxi Regulations

Councillor Tessier 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, she will, at a regular meeting of council move an amendment to the Taxi Regulations to increase the current rates.

COMMUNITY SERVICES COMMITTEE

10-02-077     Quotation – P.A. System – Reid Community Centre

Motion – Councillor Walsh/Councillor Lane

RESOLVED THAT the quotation for the supply and delivery of a p.a. system for the Reid Community Centre be awarded to the lowest bidder, Reid Music Ltd., in the amount of \$5,000.25(including tax).

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

10-02-078     Requests for Tax Consideration

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to exempt 2010 property taxes, in accordance with Council's past practice, and 2010 business taxes in

accordance with Council's policy for charitable organizations, for the following:

Name	Address	Type	Annual Amt
School Milk Foundation	27 Sagona Ave	Business (100%)	\$1,772.60
VOCM Cares Foundation	1199 Topsail Rd	Business (100%)	\$ 835.47
Community Food Sharing Association	1143-1149 Topsail Rd	Business (100%)	\$3,414.77
Heart & Stroke Foundation	1037 Topsail Rd	Business (100%)	\$2,918,22
Parkdale Manor	65 Park Ave	Property (60%)	\$2,948.72
Columbus Centre Inc.	25 Moores Dr	Property (60%)	\$1,948.61

Question called. Motion carried with Mayor Simms abstaining from voting due to a conflict of interest (VOCM Cares Foundation).

10-02-079 Financial Assistance  
Ava Dawn Young – Fundraiser

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$100 donation in support of a fundraiser held on February 2, 2010 in aid of Ava Dawn Young (a Mount Pearl resident) traveling to Halifax for medical reasons.

Question called. Motion carried unanimously.

10-02-080 Financial Assistance  
Rogers Food Drive School Challenge  
Community Food Sharing Association

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$100 donation to the Community Food Sharing Association in support of the Rogers Food Drive School Challenge – an event held in conjunction with the Frosty Festival.

Discussion: Rogers challenged Mount Pearl schools to collect nonperishable food items and the school collecting the most donations will receive \$1,000 from Rogers. The cheque presentation to the winning school will be held on February 11 at the Glacier during the Kentucky Cup hockey games.

Question called. Motion carried unanimously.

10-02-081 January 2010 Payment Register

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the January 2010 payment register totalling \$2,505,178.32 be approved as presented.

Question called. Motion carried unanimously.

10-02-082 Invoices for Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Bae Newplan Group Limited (2010 Street Upgrading)	\$ 29,514.05
2.	British Group of Companies (Community Events Calendar)	\$ 6,107.65
3.	Crane Supply (Gate Valve)	\$ 5,497.45
4.	Harvey & Company Limited (Purchase Diesel Truck)	\$ 88,840.60
5.	Kennedy, Belbin (Purchase Properties)	\$ 9,800.00
6.	Magna Contracting & Management Inc. (Glacier Arena Expansion)	\$ 329,151.28
7.	Transcontinental St. John's (Winter/Spring Activity Guide)	\$ 9,589.18
8.	Bae Newplan Group Limited (Thomas Byrne Dr/Topsail Rd Traffic Lights)	\$ 11,004.48
9.	Bae Newplan Group Limited (Sunrise Avenue 2009 Sanitary Sewer)	\$ 7,750.94
10.	Bae Newplan Group Limited (Soccer Field))	\$ 30,273.37
11.	Turf Master's Landscaping Ltd. (Soccer Field)	\$ 143,694.39
	Total	\$ 671,223.39

Question called. Motion carried unanimously.

10-02-083     Director of Infrastructure & Public Works

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT approval be granted to award the position of Director of Infrastructure & Public Works to Scott Lush.

Discussion: Members of Council and staff welcomed Mr. Lush to his new position with the City. Appreciation was also extended to Ray Osmond in recognition of his efforts as Acting Director of Infrastructure & Public Works, as well as staff of that Department and the Community Services Department during the past several months.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

10-02-084     Tract Consulting  
Gateway & Secondary Signs

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT the May 26, 2009 proposal for professional services from Tract Consulting Inc., in the amount of \$24,410.00, be approved AND FURTHER THAT approval be granted to proceed with two gateway signs in the amount of \$150,000.00.

Discussion: Council was advised that these signs will be located on Pitts Memorial Drive.

Council commented on the condition of the City's sign located on Brookfield Road and asked if it could be removed. It was noted that it will be replaced according to the schedule of the five year plan for the replacement/erection of signs.

Question called. Motion carried unanimously.

10-02-085     Advertising Requests  
The Telegram– Horizons and  
Atlantic Business Magazine – Natural Resources Supplement

Motion- Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT advertising requests be approved as follows:

- The Telegram "Horizons" publication with placement of half-page profile at a cost of \$1,995 plus HST; and

- The “Atlantic Business Magazine” publication with placement of a one-third page, black & white advertisement at a cost of \$1,625.00 plus HST.

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

10-02-086 Anne Gollop Request – Acquisition of City Property  
10 Winston Avenue

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT a request from Anne Gollop to acquire City property at the rear of 10 Winston Avenue, excluding any land within the 1:100 flood zone area, be approved subject to Ms. Gollop being responsible for the survey and legal costs associated with the transfer of the ownership of this property.

Question called. Motion carried unanimously.

10-02-087 BMT Fleet Technologies – (Donovan Homes)  
Mount Carson Terrace – Phase 5A  
63-Lot Residential Subdivision

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the subdivision development application for a proposed 63-lot residential subdivision by BMT Fleet Technology Ltd., on behalf of Donovan Homes Ltd., called Mount Carson Terrace Phase 5A, be approved and a development permit issued in accordance with the conditions of the Planning and Development Department.

Discussion: Council was advised that the realignment of Mount Carson Avenue is scheduled to commence this spring and complete the remainder next year.

Question called. Motion carried unanimously.

10-02-088 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of January 23 – February 4, 2010, showing a total construction value of \$923,700.00, be approved as presented.

Question called. Motion carried with Councillor Stoyles abstaining from voting due to a conflict of interest (E.C. Boone Ltd.).

10-02-089     Notice of Motion  
Civic Numbering Regulations 2010

Deputy Mayor Locke gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988, he will, at a regular meeting of council present Civic Numbering Regulations 2010 that, if adopted, will provide Council with the authority to regulate the civic number of buildings.

ENGINEERING SERVICES COMMITTEE

10-02-090     Awarding of Quotation  
Supply of Two 36" Wide Exterior Doors – Depot

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to award the quotation for the supply of two 36" wide exterior single doors for the Depot, complete with hardware and digital locking mechanism compatible with the existing exterior doors, be awarded to ACE Locksmithing, the lowest quote received, in the amount of \$5,500 (plus tax).

Question called. Motion carried unanimously.

NEW BUSINESS

10-02-091     Frosty Festival

Councillor Aker extended appreciation to members of the Frosty Festival Committee for successfully reorganizing the events as a result of Friday's snow storm. He noted that, with the exception of the Family Movie Night, all events took place and were well attended.

10-02-092     Sports Hall of Fame and Athlete of the Year

Councillor Walsh extended congratulations to the nominees and recipients of the recently held Sports Hall of Fame and Athlete of the Year awards ceremony. Appreciation was extended to the Sport Alliance as well as staff of the Community Services Department for a job well done. He noted that the youth component of the event has been transferred to the Focus on Youth Awards.

10-02-093     Designated Parking Spaces – "Blue Zone" Parking

Councillor Walsh advised of the positive response he received following Council's decision to increase the fine re "blue zone" parking. He



extended appreciation to the VOCM reporter for bringing this change to the public's attention.

10-02-094 Traffic Congestion – Grangel Road

In response to Councillor Walsh, it was indicated that there was no plan to place traffic lights at the intersection of Grangel Road/Wyatt Boulevard at this time. He noted that upon completion of the Team Gushue Highway there may be a different usage pattern on Commonwealth Avenue which may reduce traffic congestion in this area.

10-02-095 Senator Elizabeth Marshall

Councillor Stoyles extended congratulations to Senator Marshall on her recent appointment and requested a letter to that effect be forwarded to her by the Mayor. She also extended best wishes to Councillor Lane in his bid for the Progressive Conservative nomination for the Topsail District.

10-02-096 Bill Royle – Hall of Fame Inductee

Councillor Stoyles extended congratulations to Bill Royle on being inducted into the Sports Hall of Fame, Athlete category.

10-02-097 Police Officers of the Year – Awards Luncheon

Councillor Stoyles advised that she attended the above noted luncheon and extended congratulations to this year's recipients (Sergeant Duane Walsh, RCMP and Constable Robert Edwards, RNC). She also recognized the efforts of the police forces resulting in recent arrests related to drug seizures.

10-02-098 Frosty Festival

Deputy Mayor Locke also extended appreciation to the Frosty Festival Committee in recognition of their efforts to reschedule events due to the snow storm.

10-02-099 Sports Hall of Fame and Athlete of the Year

Deputy Mayor Locke also acknowledged the efforts of the Community Services Department for the set up of the Reid Community Centre for the awards ceremony.

10-02-100 St. Peter's Junior High – Training Workshop

Deputy Mayor Locke congratulated the students from St. Peter's Junior High who recently participated in a training workshop that provided skills to speak to youth and adults in their school and community on the issue and

impact of bullying and harassment. Appreciation was also extended to Garry Fraser, Youth Coordinator, for his assistance.

10-02-101 Condolence

Deputy Mayor Locke extended condolences to the family of the late Gwendolyn Murphy.

10-02-102 Snow Groomer

In response to Councillor Lane, it was noted that the tender has been called for the snowmobile; however, the groomer may not be available until late in the winter season as it is supplied by an American company.

10-02-103 Frosty Festival – Seniors Visits

Councillor Lane commented on the success of the visits to the seniors complexes (organized by the Seniors Independence Group) that take place during the Frosty Festival.

10-02-104 Snow Clearing Regulations

Councillor Lane reminded residents and snowclearing equipment operators that it was against the Snow Clearing Regulations to shovel, plow or blow snow from a driveway or parking lot onto streets. It was confirmed that such action is a ticketable offence and municipal enforcement officers have been issuing tickets. It was requested that the issue of increasing the amount of the fine be referred to the Public Works Committee for consideration.

10-02-105 Frosty Festival

Councillor Tessier also extended appreciation to members of the Frosty Festival Committee.

10-02-106 Administrative Assistant – Department of Infrastructure & Public Works

Councillor Tessier extended appreciation to Wanda Rees in recognition of her efforts following the retirement of the former Director of Infrastructure & Public Works.

10-02-107 AUS Championship - Swimming

Councillor Tessier extended congratulations to Adam Harvey and David Forbes, members of the Memorial University swim team, on their times at the 2009-10 AUS Championship. Both individuals are former members of the Sport Alliance.

10-02-108     Snowclearing

Councillor Tessier extended appreciation to the Infrastructure & Public Works Department staff for their efforts during the recent snowstorm. She also reminded residents that not only is overnight parking of vehicles on City streets banned, vehicles are not permitted to be left on the street during a snowstorm as they impede snowclearing efforts. She noted that several tickets had been issued and vehicles impounded during the recent storm.

10-02-109     Household Garbage

Councillor Tessier reminded residents that household garbage is not to be placed to the curb prior to 6:00 am on the day of collection. She noted that this was also a ticketable offence.

Councillor Lane questioned whether municipal enforcement officers are issuing tickets for this infraction as the problem continues to exist.

ADJOURNMENT

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

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Chairperson

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Deputy City Clerk