



**PUBLIC COUNCIL MEETING MINUTES
May 18, 2010**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on May 18, 2010 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
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. Dev. & Bus. Liaison
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Councillor John Walsh

STAFF ABSENT

Stephen Jewczyk, Director, Planning & Development

Mayor Simms chaired the meeting.

10-05-349 Adoption of Agenda

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

10-05-350 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on May 4, 2010 be adopted as presented

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

10-05-351 Bulk Garbage Collection

Council referenced the guidelines for bulk garbage collection, noting that “construction materials” will not be collected – as identified in the bulk collection brochure delivered to all households. Council commented on the uncertainty among residents as to what will be collected and suggested that a second notification be forwarded to residents clearly articulating items that will be collected, and likewise not collected. It was requested that the matter be referred to the Public Works Committee with consideration being given to the collection of home renovation materials. In the meantime, residents were reminded that construction materials will not be collected, metals should be separated, and items should not spill over into the street.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

10-05-352 CNIB Day

Proclamation signed prior to presentation of the Engineering Services Committee report.

CORRESPONDENCE

10-05-353 The Corporation of the City of St. Catharines

A letter was presented from Mayor Brian McMullan seeking support for the Royal Canadian Legion to be exempt from GST on the purchase of red lapel poppies.

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT a request from the City of St. Catharines to support the Private Members Bill asking that the Royal Canadian Legion be exempt from GST on purchases of red lapel poppies be approved and a letter to this effect be forwarded to the Prime Minister, the Newfoundland M.P.'s and the Minister of Veteran Affairs (and copied to the City of St. Catharines).

Question called. Motion carried unanimously.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE

10-05-354 2009 Focus on Youth Award Winners

Congratulations were extended to all winners and nominees of the 2009 Focus on Youth Awards.

10-05-355 Quotations – City Days & East West North Summer Expo Portable Toilets

Motion – Councillor Lane/Councillor Stoyles

RESOLVED THAT approval be granted to award the quotation for the provision of portable toilets for City Days and East West North Summer Expo (taking place July 15 - 19, 2010) to D & S Truck Services in the amount of \$2,381.20 (taxes & cleaning included).

Discussion: It was clarified that it was more cost effective to rent these units rather than purchase.

Question called. Motion carried unanimously.

10-05-356 Student Employment Centre – Mount Pearl Location

The Student Employment Centre, Services Canada, located at the Ross King Memorial Library, opened on May 10 and will continue until mid-August. The Centre is serviced by the Service Canada staff which includes university students from across Canada. Students can contact the Centre by calling 748-1049.

10-05-357 Quotations – AquaMax Pool Cleaner

Motion –Councillor Lane/Councillor Stoyles

RESOLVED THAT approval be granted to award the quotation for the supply of AquaMax Pool Cleaner for the Pool to the lowest bidder, Atlantic Chemical & Aquatics Inc., in the amount of \$3,661.20 (tax included).

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

10-05-358 Donation Request
Mayor's March on Heart Disease & Stroke

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted to provide a \$100 donation in support of the 2010 Mayors' March on Heart Disease & Stroke fundraiser.

Question called. Motion carried unanimously.

10-05-359 MNL Municipal Symposium
Councillor Lane

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted for Councillor Lane's attendance at the MNL Municipal Symposium which was held in Gander, April 29 - May 1, 2010.

Question called. Motion carried unanimously.

10-05-360 Canadian Pension & Benefits Institute – Forum 2010
June 21-23, 2010, Halifax, Nova Scotia
CAO to attend in Capacity as President, Trio

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT approval be granted for the CAO to attend the Canadian Pension & Benefits Institute Forum being held in Halifax from June 21 – 23, 2010.

Discussion: It was noted that the CAO will be attending this conference in his capacity as President of Trio and at no cost to the City other than time away from the office.

Question called. Motion carried unanimously.

10-05-361 Invoices for Approval

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Baker Flooring Contracts Limited (Admiralty House Flooring)	\$ 7,288.50
2.	British Group of Companies (Printing 500 Community Profiles)	\$ 6,099.90
3.	Clean Sweep Property Maintenance (Line Painting on Streets)	\$ 7,432.46
4.	Newfoundland Kubota Ltd. (Diesel Powered Lawn Mower)	\$ 23,223.76
5.	Nortrax (Boom & Bucket Repair Unit 1519)	\$ 11,746.59
6.	Ace Locksmithing (Two New Interior Doors)	\$ 6,667.00
7.	Newfoundland HVAC Limited (Maintenance May - August 2010)	\$ 7,925.01
8.	Sculpture by Luben Inc. (Second Installment for Source Sculpture)	\$ 40,000.00
	TOTAL	\$ 110,383.22

Discussion: Council was advised that the sculpture for Centennial Park will be unveiled during City Days celebrations.

Question called. Motion carried unanimously.

10-05-362 April 2010 Payment Register

Motion – Councillor Lane/Councillor Tessier

RESOLVED THAT the April 2010 payment register, totalling \$3,050,111.06, be approved as presented.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

10-05-363 NLOWE Entrepreneur of the Year Awards
“Start-Up Award” – Tina Holden
Co-Founder and CEO, Cardio Fit Bootcamp Inc., Mount Pearl

Council was advised that Tina Holden, Co-founder and CEO, Cardio Fit Bootcamp Inc., Mount Pearl was the recipient of the NLOWE Entrepreneur of the Year “Start-Up Award”. It was requested that a letter of congratulations be forwarded to Ms. Holden from the Mayor’s office.

10-05-364 Offshore Technology Conference - Houston

Deputy Mayor Locke and the Chief Administrative Officer recently attended the Offshore Technology Conference in Houston during the week of May 3-6, 2010. The content of a media release in relation to this conference issued by the Province was presented.

10-05-365 Advertising Request
Conference Guide for 2010 Annual NOIA Conference

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT approval be granted to place a quarter page advertisement at a cost of \$310.00 in the Conference Guide for the 2010 Annual NOIA Conference being held in St. John's in June.

Question called. Motion carried unanimously.

10-05-366 Mount Pearl Community Profile
Printed Copies Now Available

Council was advised that copies of the Community Profile are now available. The profile is available to prospective businesses and the public and is available via the City's website.

PROCLAMATION

10-05-367 CNIB Day

Mayor Simms signed a proclamation declaring May 27, 2010 as CNIB Day in the City of Mount Pearl.

Mr. Len Baker, Chairperson, CNIB, and Ms. Debbie Ryan, Communications Director, were in attendance. Appreciation was expressed to Council for supporting the efforts of the CNIB. Peer sunglasses were presented to Council and residents were encouraged to be proactive in their vision health.

ENGINEERING SERVICES COMMITTEE

10-05-368 Tender – Traffic Light Systems
Bruce Street/Glencoe Drive
Thomas Byrne Drive/Topsail Road

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the tender for the installation of traffic light systems at Bruce Street/Glencoe Drive and Thomas Byrne Drive/Topsail Road CP-1 (civil works) and CP-2 (electrical) be awarded as follows:

CP-1 (civil works)	Pyramid Construction	\$471,395.32*
CP-2 (electrical)	Lighting & Traffic Systems	\$132,951.28*

*HST Included

Question called. Motion carried unanimously.

PLANNING & LAND USE DEVELOPMENT COMMITTEE

10-05-369 Quotes for Appraisal – Beclin Industrial Park Buffer

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to award the quotation for property appraisal work (10 metre buffer between the residential development and the industrial development for Beclin Industrial Park) to Neil Tedstone in the amount of \$1,900 (plus HST).

Question called. Motion carried unanimously.

10-05-370 Mount Carson Upgrading and Realignment
Expropriation of Land Required by the City

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following be taken in relation to the lands required to carry out the upgrading and realignment of Mount Carson Avenue:

- approval be granted to release the City's funds of \$42,500.00 for the purchase of subject lands by the City from Group Holdings Limited;
- approval be granted to proceed with the processing of legal documents to execute the land exchanges with the property owners who have provided agreement in writing, CDD Holdings Ltd. and the St. John's Christadelphians. Pending successful execution of the land exchanges, it

is further recommended that the expropriation process be discontinued in relation to these two properties; and

- approval be granted to continue communication with the property owner, 11244 Newfoundland Ltd., to secure written confirmation of the verbal agreement and then execution of same regarding the land exchange; and, pending this confirmation and successful execution of the land exchange, that the expropriation process be discontinued in relation to this property.

Discussion: Council was advised that a portion of the road work will be undertaken this year in preparation of creating a thoroughfare from Mount Carson Avenue directly to Kenmount Road. It is anticipated that this reconfiguration will alleviate the current traffic congestion.

Question called. Motion carried unanimously.

10-05-371 Mount Pearl Development Regulations Amendment No. 200, 2010
Proposed Re-Designation and Rezoning
5 Centennial Street

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT Mount Pearl Development Regulations Amendment No: 200, 2010 (#5 Centennial Street Re-Designation and Rezoning Amendment) be approved.

Question called. Motion carried unanimously.

10-05-372 Mount Pearl Development Regulations Amendment No. 201, 2010
Residential Interior Corner Lots Amendment

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT Mount Pearl Development Regulations Amendment No: 201, 2010 (Residential Interior Corner Lots Amendment) be approved.

Question called. Motion carried unanimously.

10-05-373 Notice of Motion
Amendment – Mount Pearl Development Regulations 1988

Deputy Mayor Locke 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 Mount Pearl Development Regulations 1988 that, if enacted, will:

“rezone the portions of the lands within 1246-1260 Topsail Road that are currently zoned Industrial-Light (LI), from Industrial-Light (LI) to Mixed Development (MD). “

The intention of this amendment is to accommodate an extension to the west of the building defined as 1256 Topsail Road, and to rectify the designation and zoning boundaries to correspond to property ownership of 1246-1260 Topsail Road. This amendment is brought forward by the property owner of 1246-1260 Topsail Road.

10-05-374 Development Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT development permits issued for the period of May 8 - 14, 2010 be approved as presented.

Discussion: Reference was made to the development permit issued for 1 Olympic Drive (former Pearlgate Lanes). It was noted that the permit was issued in accordance with the City’s regulations. Council recognized the significance of maintaining the bowling alley and held meetings with the new owners; however, it was a private business transaction. It was acknowledged that the new owner did maintain ten lanes.

Question called. Motion carried unanimously.

10-05-375 Building Permits

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT building permits issued for the period of May 1 - 14, 2010, showing a total construction value of \$5,027,250.00, be approved as presented.

Question called. Motion carried with Councillor Stoyles abstaining from voting due to a conflict of interest.

NEW BUSINESS

10-05-376 Focus on Youth Awards

Members of Council individually expressed congratulations to the Focus on Youth Awards nominees and winners as well as to staff and sponsors.

10-05-377 O'Donel Senior High
 Mount Pearl Senior High

Councillor Tessier extended congratulations to the Level III students on the occasion of their Senior Prom. Appreciation was also extended to staff and volunteers who help make it a special event.

10-05-378 NF Christian Riders

Councillor Tessier advised of a breakfast organized by the NF Christian Riders being held on May 29 at the Salvation Army Citadel, Ashford Drive, to raise funds in support of prostate cancer research ("Big Ride").

10-05-379 Garbage Nets

Councillor Lane advised of a couple of incidents whereby residents were charged a \$45 fine as a result of garbage being torn open even though it was covered by a net. The Director of Infrastructure & Public Works advised that the service charges reflect costs associated with having staff clean up the waste. He further advised that if it was evident that the garbage had been covered, these charges could be reversed. Councillor Lane requested the matter be referred to the Public Works Committee for further consideration and subsequent report to Council.

10-05-380 Dirt Bikes, ATV's

Councillor Lane reminded residents that it was illegal to operate dirt bikes, ATV's within City boundaries and when caught, drivers are subject to fine and impounding fee.

10-05-381 Chief of Police – Royal Newfoundland Constabulary

Councillor Lane requested that a letter of congratulations be forwarded from the Mayor's office to the new Chief of Police, Robert Johnson.

10-05-382 Municipal Awareness Day

Councillor Lane noted that May 20th is Municipal Awareness Day and extended appreciation to all staff.

10-05-383 City of Calgary

Councillor Lane presented a publication from the City of Calgary that outlined common issues by residents and how these issues can be addressed. He referred it to the Public Works Committee for consideration on implementing a similar brochure for the City of Mount Pearl.

10-05-384 Mount Pearl Senior High (MPSH) Prom

Deputy Mayor Locke extended congratulations to the Glacier staff as well as the parent volunteers who coordinated the MPSH Prom at the Glacier. He put forth the suggestion for both senior high schools to hold their “safe grads” following exams and at the expanded Reid Community Centre.

10-05-385 Congratulations – MPSH Ball Hockey Team

Deputy Mayor Locke extended congratulations to the members of the MPSH Ball Hockey Team who won the Provincial 4A Championships.

10-05-386 Student – Mount Pearl Senior High

Deputy Mayor Locke extended best wishes to David Lockman, a student of MPSH, who is currently experiencing serious health issues. It was suggested that a get well card be forwarded to Mr. Lockman.

10-05-387 “15 Minute Clean-Up”

Councillor Aker commented on the “15 minute clean-up” in which Deputy Mayor Locke participated in with Mayor O’Keefe (St. John’s). Appreciation was extended all residents who have helped collect debris throughout the City.

10-05-388 Northeast Avalon Joint Council (NEAJC) Meeting

Councillor Stoyles advised that the NEAJC is meeting on May 19, 2010 (Municipal Awareness Day) and encouraged all to attend.

10-05-389 Mount Pearl Senior High Cheerleaders

Councillor Stoyles extended congratulations to the MPSH Cheerleaders on their successful competition in Montreal. It was requested that a letter of congratulations be forwarded to the team.

10-05-390 St. John’s International Airport Authority – AGM

Councillor Stoyles presented the year-end report for the Airport Authority, noting that while the rest of Canada experienced an average 6% decline in passenger traffic in 2009, the number of travelers flying in and out of St. John’s increased by almost 1%.

ADJOURNMENT

As there was no further business, the meeting adjourned at 5:30 pm on a motion by Deputy Mayor Locke and seconded by Councillor Stoyles.

Chairperson

Deputy City Clerk