



**PUBLIC COUNCIL MEETING MINUTES
November 13, 2012**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on November 13, 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
Stephen Jewczyk, Director, Planning & Development
Jason Silver, Director, Corporate Services
Jason Collins, Director of Community Services
Gerry Antle, Director, Infrastructure & Public Works
Mona Lewis, Deputy City Clerk

Mayor Simms chaired the meeting.

12-11-775 Adoption of Agenda

Motion – Councillor Ledwell /Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

12-11-776 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on October 30, 2012 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

12-11-777 Cease Occupancy Order – 1073 Topsail Road

Council was advised that no information has been received in response to the Cease Occupancy Order issued for the portion of the building occupied by Heavy Weight Fitness at 1073 Topsail Road. The deadline of November 30, 2012 for the Heavy Weight occupancy to cease at this operation remains in effect. Council requested staff contact the owner and the tenant in an effort to address the issue of required parking spaces prior to the deadline.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

12-11-778 Crohn's & Colitis Awareness Month

Mayor Simms signed a proclamation declaring November as Crohn's & Colitis Awareness Month in the City of Mount Pearl.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE REPORT

12-11-779 Automated Garbage Collection (Update)

Residents were asked to keep the following points in mind when placing the garbage carts to the curb on collection day:

- Carts should be placed to the end of the driveway (not outside the curb) and not on lawns where parked vehicles may obstruct the collection process. This will alleviate concerns with garbage carts being tipped over after being emptied by the automated arms. Residents are also asked to place the cart in an area that is as level as possible.
- Municipal Enforcement Officers have been monitoring the garbage routes and distributing notices advising residents of areas where changes are required in order to comply with the new system and garbage regulations. It was requested that a report be compiled and presented to Council outlining the various infractions municipal enforcement officers are encountering.

12-11-780 Collection of Leaves

Residents were advised of a special collection of leaves that started today, November 13, and will also take place on November 19 and 26. Leaves should be placed to the curb in clear bags by 8:00 am on the collection day. It was noted that in 2013 the program will be implemented earlier in the year. It was requested the 2013 garbage schedule brochure also include the dates for the collection.

12-11-781 Winter Maintenance Program

Residents were advised that all winter maintenance for the City's snow clearing equipment has been completed in preparation for the winter season. The storage shed is currently filled with approximately 2400 metric tons of road salt with additional salt being delivered through the winter months as needed.

12-11-782 Solid Waste Regulations

Motion – Councillor Walsh/Councillor Tessier

RESOLVED THAT the Solid Waste Regulations be approved as presented.

Discussion: The following changes were highlighted:

- Residents will be permitted to place their carts to the curb commencing at 8:00 pm on the evening prior to collection.
- Only household garbage placed inside the carts will be collected, and only from City provided garbage carts.
- Garbage placed inside the carts must still be bagged.
- Blue bags of recyclable material and bags of cardboard and fiber products should be placed to the curb next to the cart, spaced approximately 1 meter from the cart. These bags will continue to be collected manually.

It was agreed that it wasn't necessary to change the time of 8:00 pm to 7:00 pm (for placement of carts to the cart the night before).

Question called. Motion carried unanimously.

12-11-783 Materials Prohibited from Garbage Carts
Section 23 of the Solid Waste Regulations

Motion – Councillor Walsh/Councillor Tessier

RESOLVED THAT the list of materials prohibited from being placed in garbage carts as stipulated in Section 23 of the Solid Waste Regulations be approved as presented.

Discussion: It was requested that the materials list be communicated to residents with the next brochure distribution as well as posted to the website.

Question called. Motion carried unanimously.

12-11-784 Eastern Waste Management – User Fees

A letter was presented from Eastern Waste Management advising that the fee for materials land fill at the Regional Facility will increase to \$67.60 per metric ton and \$20.00 per metric ton for recyclable materials. This represents a 3.2% increase in user fees from 2012 (\$65.50 per metric ton). There was no change in the cost per metric ton for recyclable materials. Councillor Aker, who sits on the Eastern Waste Management Board, provided a brief report on discussions that lead to these changes. Council asked to be advised of the City's charges for landfill and recyclable materials.

COMMUNITY SERVICES COMMITTEE REPORT

12-11-785 Remembrance Day Parade
Wreath Laying Ceremony

Appreciation was extended to the Royal Canadian Legion Branch 36 for their preparation and dedication to the Remembrance Day Parade and Ceremony. A thank you was also extended to the residents of Mount Pearl for overwhelming attendance at this special ceremony.

12-11-786 Royal Newfoundland Regiment
Battle Fitness Test
T'Railway Route – Saturday, November 17, 2012

The public was advised that the Royal Newfoundland Regiment will use the T'Railway within the boundaries of the City of Mount Pearl for their second Battle Fitness Test (BFT) on the morning of Saturday, November 17. Municipal Enforcement will provide assistance in providing a safe crossing at Commonwealth Avenue.

CORPORATE SERVICES COMMITTEE

12-11-787 Urban Municipalities Committee (UMC) Meetings

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted for Mayor Simms and Councillor Stoyles to attend the UMC meetings being held in Deer Lake, November 16-17, 2012.

Question called. Motion carried unanimously.

12-11-788 Tax Deferrals - Low Income Earner

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following tax deferral be approved in accordance with Council's policy for low income earners:

Roll Number	Amount Deferred
3345837-0-0180-000	\$ 510.91

Question called. Motion carried unanimously.

12-11-789 Uncollectible Account
Tax Write

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to write off the balance and remove the following account from the City's records.

Name	Principal	Interest	Other	Total
6574262 Canada	\$2,607.70	\$38.47		\$2,646.17

Discussion: It was noted that the business has closed and all collection efforts have been exhausted.

Question called. Motion carried unanimously.

12-11-790 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Bae Newplan Group (Professional Services - 2011 Street Upgrading)	\$ 27,059.79
2.	Bae Newplan Group (Professional Services - Pearlgate Recreation Centre)	\$ 37,572.50
3.	Bae Newplan Group (Professional Fees - Pearlgate Recreation Centre)	\$ 91,812.50
4.	Bae Newplan Group (Professional Fees - Pearlgate Recreation Centre)	\$ 62,150.00
5.	Bae Newplan Group (City Hall Gazebo Engineering Design)	\$ 8,475.00
6.	City of St. John's (Regional Fire Service - November 2012)	\$ 334,312.24
7.	City of St. John's (Water Consumption October 2012)	\$ 164,070.34
8.	City of St. John's (Share of 2012 Operations of Regional Waste/Water to Sept 2012)	\$ 125,486.00
9.	Clarke Masonry Ltd. (Repairs to Chimney at Admiralty House)	\$ 9,401.60
10.	E. Tucker & Sons Limited (Fleet Maintenance)	\$ 9,209.50
11.	Grand Concourse Authority (Labyrinth Trail Connection)	\$ 16,950.00
12.	Hitech Communications (Monthly AVL rental charge)	\$ 5,265.35
13.	Saunders Equipment Limited (Garbage Carts for Automated Collection Program)	\$ 796,650.00
14.	Traffic Logix Inc. (Traffic Signage & Monitoring)	\$ 13,792.78
15.	Windco Enterprises Ltd. (Netting for Softball Field at Team Gushue Park)	\$ 11,526.00
	Total	\$ 1,713,733.60

Question called. Motion carried unanimously.

12-11-791 Municipal Assessment Agency
2011-2012 Annual report

The Municipal Assessment Agency Annual Report 2011-2012 was presented for the information of Council. A copy is available at the Chief Administrative Officer's office or can be found on the Municipal Assessment Agency's website at www.mma.ca.

ENGINEERING SERVICES COMMITTEE

12-11-792 Multiplex - Update

An update on the Multiplex construction was presented.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

12-11-793 Proposed Mount Pearl Municipal Plan 2010 Amendment No. 4, 2012, and
Mount Pearl Development Regulations 2010 Amendment No. 10, 2012
(885 Topsail Road (CM) Rezoning Amendment)
Sheppard Case Architects Inc. (on behalf of Reddy Kilowatt Credit Union)

The City is in receipt of an Amendment Application on behalf of Reddy Kilowatt Credit Union to rezone a portion of 885 Topsail Road from Utility (UTIL) Use Zone to Commercial Mixed (CM) Use Zone to accommodate a commercial use, with a corresponding amendment to the City Plan 2010 that would, if approved, redesignate the subject land from UTILITY to MIXED USE. The proposed new commercial building will be utilized for a Bank Use (with a drive-through component) which are both Permitted Uses in the Commercial Mixed (CM) Use Zone. A bank once existed on the subject property but was demolished a number of years ago.

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT an amendment application to rezone a portion of 885 Topsail Road from Utility (UTIL) Use Zone to Commercial Mixed (CM) Use Zone to accommodate a commercial use be approved AND FURTHER THAT the corresponding amendment to the City Plan 2010 to redesignate the subject land from UTILITY to MIXED USE be approved.

Question called. Motion carried unanimously.

12-11-794 Development Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT development permits issued for the period of October 29 – November 9, 2012 be accepted as presented.

Question called. Motion carried unanimously.

12-11-795 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of October 28 – November 9, 2012, showing a total construction value of \$12,878,850.00, be approved as presented.

Question called. Motion carried unanimously.

12-11-796 Proposed Group Child Care in the CG-S Amendment

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT an amendment to the text of the Commercial-General (Special) Use Zone to accommodate a Group Child Care use in the MAX building at Ruth Avenue/Olympic Drive be approved.

Question called. Motion carried unanimously.

NEW BUSINESS

12-11-797 Pearl Awards for Urban Design & Gardens

Members of Council extended congratulations to the recipients and nominees of the Pearl Awards along with appreciation to staff of the Planning & Development and Community Services Departments for a job well done!

12-11-798 Mayor Stephen Brinson – Town of Change Islands

Councillor Tessier extended wishes for a speedy recovery to Mayor Brinson who was recently involved in an accident.

12-11-799 Condolences

Members of Council extended condolences to the family, friends and co-workers of Councillor Eileen Hatch who recently passed away. It was noted that Councillor Hatch was with the Town of Logy Bay-Middle Cove-Outer Cove and was also involved in other municipal organizations. It was requested that a note of sympathy be forwarded to Councillor Hatch's family.

12-11-800 Solar Powered Speed Signs

Councillor Tessier noted that a solar powered speed sign was installed on Mount Carson Avenue in the vicinity of the entrance to Masonic Park. She encouraged drivers to be aware of the sign and adjust their speed accordingly.

12-11-801 2013 Skate Canada NL Sectional Championships

Councillor Aker extended congratulations to the Mount Pearl Skating Club for hosting the above event as well as to all participants and those who qualified for other events.

12-11-802 Congratulations – Dr. Michelle Young

Councillor Stoyles extended congratulations to Dr. Young in recognition of her athletic accomplishments.

12-11-803 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the next meeting of the NEAJC will take place in Bay Bulls on November 21.

12-11-804 Classic Car Sales – Mount Carson Avenue

Councillor Walsh inquired on the status of Classic Car Sales noting that the property no longer has vehicles on it. The Director of Planning & Development was asked to provide an update to Council.

12-11-805 O'Donel High School – Cap & Gown Ceremony

Councillor Walsh advised he attended the O'Donel High Cap & Gown Ceremony and extended congratulations to all the graduates.

12-11-806 O'Donel High School – Remembrance Day Ceremony

Councillor Walsh advised that he attended the O'Donel High Remembrance Day Ceremony, noting that it included a tribute to Mr. G. Fred G. Bannister. It was suggested that the School administration be contacted to determine if it was possible to share that portion of the ceremony with the City.

12-11-807 Knight of Columbus – Father John B. Kent

Councillor Ledwell extended congratulations to the Knights of Columbus on their recent election of officers. Appreciation was also extended to the Knights in recognition of their contribution to the community. A letter of congratulations to be forwarded from the Mayor's office.

Mayor Simms also commented on the Skate Canada Championships, noting that he brought greetings on behalf of the City at their opening ceremonies.

Mayor Simms also acknowledged the presence of municipal enforcement officers Derek Hynes and Danielle Greavette at the Annual Uniformed Services Dinner held on November 9 in Conception Bay South. The event is for military, police, peace and enforcement officers, fire departments, correctional officers, and all other branches of the uniformed services. Mayor Simms was guest speaker at the event.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:35 pm on a motion by Councillor Tessier and seconded by Councillor Aker.

Chairperson

Deputy City Clerk