

PUBLIC COUNCIL MEETING MINUTES
April 8, 2014

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on April 8, 2014 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
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
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director, Community Services
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Councillor John Walsh

Mayor Simms chaired the meeting.

14-04-217 Adoption of Agenda

Motion – Councillor Tessier/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

14-04-218 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on March 25, 2014 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

14-04-219 Cancer Awareness Month

Mayor Simms signed a proclamation declaring April 2014 as Cancer Awareness Month in the City of Mount Pearl. Al Pelley, Director of Revenue Development & Communications, Canadian Cancer Society NL, was in attendance. Mr. Pelley extended appreciation to Council and residents for their continued support and provided information on the disease. He encouraged everyone to wear a daffodil pin on April 28th in support of people living with cancer. He noted that volunteers will be selling daffodils throughout April to raise funds for the Society.

Councillor Stoyles advised that volunteers are still required for the daffodil sales. Interested participants should contact the Cancer Society office.

CORRESPONDENCE

14-04-220 Irving Oil

A letter was presented from Irving Oil expressing appreciation to the City for having the Annual Irving Oil Challenge Cup at the Glacier April 3 – 6, 2014. Council noted that it was a very successful event and extended congratulations to the Mount Pearl Minor Hockey Association.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE REPORT

14-04-221 Tender Award - Fitness Equipment Pearlgate Recreation Multiplex

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT the tender for the provision of fitness equipment for the Multiplex be awarded to the lowest qualified bidder, Spartan Fitness, in the amount of \$236,780.20 (including HST).

Question called. Motion carried unanimously.

14-04-222 City Days 2014
Sound, Lighting, Movie Screen and Outdoor Staging Quotations

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT the quotation for the provision of sound, lighting, movie screen and outdoor staging for City Days be awarded to Eastern Audio in the amount of \$16,159.00.

Question called. Motion carried unanimously.

14-04-223 Mount Pearl Sport Alliance
Second / Final Installment – 2014 Operating Subsidy

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT approval be granted to release the remaining funding (\$80,000) to the Sport Alliance for minor sport groups in accordance with the Memorandum of Understanding.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

14-04-224 Professional Development and Training – IPW Director
American Society of Civil Engineers (ASCE) Congress

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for the Director of Infrastructure & Public Works to attend the ASCE Congress being held in Orlando, Florida from June 8 -11, 2014.

Question called. Motion carried unanimously.

14-04-225 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	City of St. John's (St. John's Regional Fire Dept - Jan to Apr 2014)	\$1,435,700.32
2.	Hitech Communications Ltd. (Two-way/AVL Radio Monthly Fee - Feb 2014)	\$ 6,222.68

3.	Paul Stroud Painting & Plastering (Painting Pearl Wing & 2 nd Floor Offices)	\$ 17,160.18
4.	Atlantic Trailer & Equipment (Trailer to Transfer Man Lift)	\$ 17,750.04
5.	City of St. John's (Water Consumption - Feb 2014)	\$ 362,805.45
6.	Farrell's Excavating Limited (Road Gravel)	\$ 5,327.22
7.	Kelloway Construction Ltd. (Cleaning Services Feb 2014)	\$ 16,432.05
8.	LSW Wear Parts Ltd. (Plow Blades)	\$ 61,610.43
9.	Saunders Equipment Ltd. (Truck Parts)	\$ 24,582.52
10.	Tract (St. David's Park Redevelopment Plan)	\$ 13,998.44
	Total	\$1,961,589.33

Question called. Motion carried with Mayor Simms abstaining from voting due to a conflict of interest (item 10).

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

14-04-226 Winter Maintenance

An update on snow clearing operations was provided.

14-04-227 Multiplex Status

Council was advised that the Multiplex is approximately 94% financially complete.

14-04-228 Tender – Asphalt Crack Sealing TP-14-007

Motion – Deputy Mayor Locke/Councillor Ledwell

RESOLVED THAT the tender for asphalt crack sealing be awarded to the lowest qualified bidder, Crown Contracting, for the bid amount of \$29,967.60 (HST included).

Question called. Motion carried unanimously.

PLANNING AND DEVELOPMENT COMMITTEE

14-04-229 Wastewater Treatment Facility – Pardy’s Holdings Ltd.
30 Kyle Avenue

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the application by Pardy’s Holdings Ltd. to place a trailer on site for the purpose of treating waste water at 30 Kyle Avenue be approved and a development permit issued subject to the following conditions:

1. St. John’s Regional Fire Department conditions;
2. Newfoundland Power’s conditions;
3. City Inspector’s conditions;
4. City of St. John’s conditions;
5. Pollution Prevention Divisions Conditions of approval;
6. Engineering Services conditions;
7. the total hazardous storage volume capacity to be confirmed by Pardy’s and forwarded to the City for verification;
8. revised engineered stamped site plan to be submitted illustrating:
 - i. proposed parking areas (to be paved and curbed),
 - ii. containment around transfer of water (catchment area details so no accidental waste goes into the sanitary or storm systems),
 - iii. indication that the catch basin that is in close proximity to the transfer area is not connected to the storm system,
 - iv. sampling port to be on private property and close proximity to source,
 - v. existing site services and easements,
 - vi. all parking and loading / off-loading areas to be paved and curbed,
 - vii. site grading,
 - viii. pre-post storm water calculations to be submitted,
 - ix. wastewater sampling port to be installed on the discharge line from the wastewater treatment facility accessible to City compliance staff,
 - x. currently Pardy’s are batch processing, and the report sent to the City of Mount Pearl monthly will indicate the proposed volume of dispersed treated water; when a continuous flow process is introduced a flow meter on the discharge line will be required to indicate volumes, and
 - xi. dimensioned location of trailer.
9. the development meeting Mount Pearl Development Regulations 2010; and
10. the waste water that is stored and treated on site that enters the City sanitary sewer system shall be metered and charged on the basis of the additional waste water entering the City’s system. The calculation of the fees charged will be determined by the Department of Corporate Services.

Discussion: The following points were raised and clarified:

- On-site trailer would be a permanent fixture.
- Quality control measures are in place (ongoing testing) to ensure the environment is protected.
- Should there be environmental problems; the Department of Environment & Conservation would require corrective action by the applicant.
- Condition with respect to fees associated with additional waste water entering City's system to be added to development permit.

Question called. Motion carried unanimously.

14-04-230 Notice of Motion
Adult Materials Display Regulations (Revoking)

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and Council's public notification policy, he will, at a regular meeting of Council, move that the Mount Pearl Adult Materials Display Regulations as adopted by Council on September 4, 2007 be revoked. The reason for the revocation is that, as a result of Council's regulatory review process, it was determined that the regulation of such materials is beyond the scope of Council's legislative authority.

14-04-231 Development Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT development permits issued for the period of March 24 – April 4, 2014 be accepted as presented.

Question called. Motion carried unanimously.

14-04-232 Building Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT building permits issued for the period of March 22 – April 4, 2014, showing a total construction value of \$125,000.00 be approved as presented.

Question called. Motion carried unanimously.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

No report presented.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

14-04-233 Appreciation - City Staff

A sincere thank you was extended to City staff for their hard work and dedication throughout the winter.

14-04-234 Notice of Motion
Taxi Regulations

Councillor Tessier gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and Council's public notification policy, she will, at a regular meeting of Council, move an amendment to the text of the Mount Pearl Taxi Regulations that, if enacted, will:

1. Add, change and clarify a number of clauses that reference the definitions; licenses, inspections, cruising, fares and tariff rates;

The purpose of this proposed amendment is to update Council's authority to regulate the taxi services throughout the City.

14-04-235 Notice of Motion
Traffic Regulations

Councillor Tessier gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and Council's public notification policy, she will, at a regular meeting of Council, move an amendment to the text of the Mount Pearl Traffic Regulations that, if enacted, will:

1. Add, change and clarify a number of clauses that reference the commercial motor vehicle, speed limit provision and definitions;

The purpose of this proposed amendment is to clarify Council's authority to regulate the traffic services throughout the City.

NEW BUSINESS

14-04-236 Appreciation – Joan King

Deputy Mayor Locke extended appreciation to Mrs. King for her involvement with the Mount Pearl Library Board for many years. Best wishes were extended on her move back to England.

14-04-237 Citizen of the Year

Members of council extended congratulations to Claudette Coombs on being chosen the 2013 Citizen of the Year. Nominees – Cheryl Ash, Brian Hunt and Patrick O’Keefe Sr. were also recognized and congratulated. Appreciation was extended to all volunteers, the Kinsmen Club and City staff.

14-04-238 Condolences

Condolences were extended to Gerald and Claudette Coombs on the passing of their son, Stephen.

14-04-239 Congratulations – Victoria Jackman

Deputy Mayor Locke congratulated Victoria Jackman, a Mount Pearl Senior High student, who received the Vimy Pilgrimage Award (one of twenty students across Canada). The Award consists of a fully funded, week-long educational program in Europe to study Canada’s tremendous First World War effort. The program includes classroom education and daily field trips to significant WWI sites and memorials. It was requested that a letter of congratulations be forwarded from the Mayor’s office.

14-04-240 Mount Pearl-Paradise Chamber of Commerce – Annual General Meeting (AGM)

Councillor Stoyles advised that at the Chamber’s AGM, held on March 27, she accepted (on behalf of Council) a certificate recognizing the City as a patron sponsor. She advised that Tammy Clarke is the new President of the Board.

14-04-241 Congratulations

Councillor Stoyles advised that Richard Levandier (Kinsmen) will receive a Recreation Newfoundland and Labrador Volunteer Recognition Award. Congratulations were extended to Richard.

14-04-242 Condolences

Councillor Stoyles extended condolences to the family of Cyril Hannon, a long-time resident of Mount Pearl.

14-04-243 Terra Nova Elite Cheerleading Club

Councillor Stoyles extended congratulations to members of the Terra Nova Elite Cheerleading Club who won many awards at the recently held CheerExpo Competition in Halifax.

14-04-244 Graffiti – Sentence

Councillor Stoyles expressed disappointment with the court's recent sentencing against someone charged with vandalizing (graffiti) property around the St. John's area. She noted that Mount Pearl also experiences a similar problem that results in costing taxpayers' money as the City ultimately takes corrective action.

14-04-245 Municipalities Newfoundland & Labrador (MNL) Symposium

Councillor Stoyles advised that the MNL Symposium takes place May 1 - 3 in Gander and encouraged members of council to attend.

14-04-246 Church Service – St. Peter's Parish

Councillor Stoyles commented on the ecumenical church service held by St. Peter's Parish commemorating the 100th anniversary of the Newfoundland Sealing Disaster.

14-04-247 MUN Varsity Athletic Awards

Councillor Tessier extended congratulations to recipients of the MUN Varsity Athletic Awards, particularly, Mount Pearl residents Gavin Dyke and Ian Janes.

14-04-248 Condolences

Councillor Tessier extended condolences to the family of Pat Joy, a resident of Holyrood but someone who attended many Frosty Festival events.

14-04-249 Irving Cup

Councillor Aker extended congratulations to the organizing committee of the Irving Cup, noting that it consisted of current and alumni members of the MPMHA executive.

14-04-250 Volunteers

Councillor Ledwell noted that volunteers are sometimes hesitant to be recognized for their efforts and referenced the difficulty with obtaining nominees for the Citizen of the Year. He encouraged residents to extend appreciation to all volunteers.

14-04-251 Canadian Homebuilders Association - NL

Mayor Simms advised that he was guest speaker at the Homebuilders Association monthly luncheon and provided highlights of the event.

14-04-252 Arts Association of Mount Pearl (AAMP)

Mayor Simms advised that AAMP held their AGM this past weekend and extended congratulations to the group on their accomplishments.

14-04-253 North East Avalon Regional Plan Oversight Committee

Mayor Simms advised that the above Committee will meet on April 14. He noted that the terms of reference have been finalized and should be adopted at this meeting.

14-04-254 Focus on Youth Awards – Youth of the Year

Mayor Simms advised that the public speaking portion of the Youth of the Year award will be held on April 16 at City Hall at 7:30 pm.

14-04-255 Rock Athletics

Mayor Simms extended congratulations to members of the Rock Athletics team who won many medals at the Canadian Kenpo Championships in Montreal. A letter of congratulations will be forwarded from the Mayor's office.

14-04-256 Vandalism – Graffiti

Mayor Simms reiterated his dissatisfaction with the ruling in the recent graffiti case before the courts. It is Council's position that graffiti is vandalism and a criminal offence and a stronger message needs to be sent to the perpetrators. Council recommended approval to write the Minister of Justice expressing this concern and that the letter also be tabled with the MNL Board and Northeast Avalon Joint Council.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:30 pm on a motion by Councillor Stoyles and seconded by Councillor Ledwell.

Chairperson

Deputy City Clerk