

**PUBLIC COUNCIL MEETING MINUTES**  
**August 26, 2014**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on August 26, 2014 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms  
Deputy Mayor Jim Locke  
Councillor John Walsh  
Councillor Paula Tessier  
Councillor Dave Aker<sup>(1)</sup>  
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 Lucy Stoyles

<sup>(1)</sup> Councillor Aker arrived when noted.

**Mayor Simms chaired the meeting.**

14-08-557 Adoption of Agenda

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

14-08-558 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on August 12, 2014 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

Councillor Aker arrived at 4:20 pm.

### BUSINESS ARISING

14-08-559     Cease & Desist Order – Country Ribbon Chicken

Council was advised that discussions have been held with the property owner and action is underway to have the outstanding work completed by the September 5, 2014 deadline.

14-08-560     Movie in the Park

Appreciation was extended to Community Services staff who organized the “movie in the park” event. It was noted that the weather was questionable and may have prevented a bigger audience.

14-08-561     Painting – Utility Boxes

Council was advised that painting of the utility boxes has started with four being commissioned to date. It is anticipated that eight will be completed this year.

### ACTION REPORT

The action report was accepted as presented.

### PROCLAMATIONS/PRESENTATIONS

14-08-562     Waterford River Green Team – Presentation

A summary of the work the Team accomplished during the summer was presented by Julia Spry, a member of the team. Appreciation was extended to the Team as well as the Conservation Corps for supporting the initiative.

### CORRESPONDENCE

14-08-563     Minister Responsible for Newfoundland & Labrador Housing

A letter was presented from the Honourable Kevin O’Brien in response to the City’s correspondence regarding affordable housing. It was noted that affordable housing is a key strategic initiative of Council and that such housing will most likely be developed in neighbourhoods that already exist.

## COMMITTEE REPORTS

### COMMUNITY SERVICES COMMITTEE REPORT

14-08-564     Arena Board of Management  
Final Installment Operating Grant - 2014

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to release the final installment of the 2014 operating grant for the Arena Board of Management in the amount of \$51,329.00.

Question called. Motion carried unanimously.

14-08-565     Tender Award - Aquatic Chemicals

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to award the tender for the aquatic chemicals (TP14-020) to the lowest qualified bidder, Rockwater Professional Products, as per the specifications of the tender.

Question called. Motion carried unanimously.

14-08-566     Mount Pearl Summit Centre

For the information of the public, the Mount Pearl Summit Centre is scheduled to open soon. For updates on the opening date, please visit the City's website.

14-08-567     Fall Activity Guide

Residents were advised that the fall activity guide will be delivered to all households during the week of September 2-5.

14-08-568     Aquatic Program Registration  
& General Program Registration

Information on program registration was presented. Further details are available on the City's website as well as the activity guide.

CORPORATE SERVICES COMMITTEE

14-08-569 Municipalities Newfoundland & Labrador (MNL)  
Annual Convention

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Councillors Walsh and Tessier and the CAO to attend the MNL Convention being held in Corner Brook from October 9 – 11, 2014.

Discussion: It was noted that Mayor Simms and Councillor Stoyles are also attending in their respective roles on the MNL Board of Directors - Chairperson of the Urban Municipalities Committee and Avalon Director.

Question called. Motion carried unanimously.

14-08-570 Assessment Review Commissioner – Appointment

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with Section 32(1) of the Assessment Act, to appoint Donald Peckham as the City's Assessment Review Commissioner for the 2015 to 2017 taxation years, to take effect from the date of appointment to June 30, 2017.

Question called. Motion carried unanimously.

14-08-571 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

|    |   |               |
|----|---|---------------|
| 1. | AON Reed Stenhouse Inc<br>(Property Insurance effective July 18/14)                           | \$ 16,102.00  |
| 2. | Atlantic Business Interiors<br>(Furniture for Multiplex)                                      | \$ 15,901.30  |
| 3. | Farrell's Excavating Limited<br>(2012 Street Upgrading CP1 Sagona Ave<br>Progress Claim No 3) | \$ 354,130.29 |

|     |  |                 |
|-----|--|-----------------|
| 4.  | Kelloway Construction Ltd<br>(Cleaning for July/14)  | \$ 18,456.63    |
| 5.  | Lighting & Traffic Systems Ltd<br>(Traffic Signal Maintenance for June/14)                 | \$ 12,650.80    |
| 6.  | Nuway Kitchens Ltd<br>(Cabinets/Countertops for First Aid/Crew Leader Rooms)               | \$ 7,597.65     |
| 7.  | RICOH Canada Inc<br>(Laserfiche RIO Forms Portal & E-Forms)                                | \$ 19,335.75    |
| 8.  | Spartan Fitness<br>(Fitness Equipment for Multiplex)                                       | \$ 5,430.72     |
| 9.  | Stanley Flowers Limited<br>(Payment 2 of 4 for Maintenance of Hanging<br>Baskets/Planters) | \$ 9,310.15     |
| 10. | City of St. John's<br>(Landfill July/14)   | \$ 47,666.70    |
| 11. | Marco Services Ltd.<br>(Multiplex CP-3 Progress Payment Certificate No. 27 )               | \$ 3,309,803.78 |
|     | Total  | \$ 3,816,385.77 |

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

14-08-572 Summit Centre

An update on the Summit Centre was provided.

14-08-573 Summer Activity Report

The following update was presented:

Roads

- The last free bulk garbage pickup is August 25 with approximately 60 residents registered. The last regular bulk schedule will resume on September 8.
- Asphalt and curb/gutter repairs are ongoing;
- Fleet is currently undergoing winter maintenance for the upcoming winter season.

Parks

- General maintenance and road work continues.
- Crews continue with litter pickup and overall maintenance.

PLANNING AND DEVELOPMENT COMMITTEE

14-08-574     Change of Use - Oceanex  
1 Old Placentia Road

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the proposal by Oceanex to occupy the parcel at 1 Old Placentia Road as a Tractor Trailer Storage and Circulation Yard with a temporary security trailer and washroom facilities be approved, pending approval of the temporary buildings by Service NL, City inspector and Engineering Services Division, and that a Development Permit be issued subject to the following conditions:

1. as a temporary use to the end of December, 2014, and if requested to continue beyond that time frame, then full pavement of the lot be required;
2. for the period ending December 31, 2014, the access driveway shall be paved with curbing, and the storage yard portion shall be gravel surface but must have dust control mitigation measures in place at all times;
3. some form of visual screening along the rear fence be required as part of this permit;
4. the proposed location of the Temporary Security Trailer and Washroom Facility shall be approved by Engineering Services Division regarding placement of temporary structures on Right of Way;
5. Bell Aliant's conditions;
6. NL Power's conditions;
7. Occupational Health and Safety conditions;
8. Service NL conditions;
9. Regional Fire Department conditions;
10. Engineering Services Division conditions;
11. Inspection Services Division conditions; and
12. the development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

14-08-575 Discretionary Use – Gas Bar, Convenience Store, etc.  
MAE Design Ltd. (Cobalt Management Corporation)  
22-24 Commonwealth Avenue

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT an application by MAE Design on behalf of Cobalt Management Corporation for the redevelopment of the property at 22 – 24 Commonwealth Avenue for a three-tenant building comprised of gas bar/store, drive-through coffee shop and short order restaurant be approved and a development permit issued subject to the following conditions:

1. St. David's access to migrate slightly to the east to be more in line with the drive through operation;
2. further noise mitigation measures be put in place between this commercial property and the residential lots that back onto or abut the site;
3. the lighting of the site to be directly oriented to the property and not disperse outside of the site; further, the lighting of the site is to dim during night time hours to residue lighting intrusion to surrounding residential properties;
4. measures to be introduced to reduce late night and overnight night noise from the exterior ordering system;
5. discussion to be held with disposal company(ies) for garbage pickup during working hours (i.e. 7 am – 8 pm);
6. compliance with the conditions of the City's Engineering Services Division;
7. compliance with all other municipal regulations and standards applicable to commercial development; and
8. inclusion of a 2.4 m (8 feet) high fence between the residential properties that back onto or abut the subject property.

Question called. Motion carried unanimously.

14-08-576 Proposed Mount Pearl Municipal Plan 2010 Amendment No. 13, 2014 and  
Mount Pearl Development Regulations 2010 Amendment No. 38, 2014  
(9 Sagona Avenue Amendment)

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the proposed Mount Pearl Municipal Plan 2010 Amendment No. 13, 2014 and Mount Pearl Development Regulation 2010 Amendment No. 38, 2014 (9 Sagona Avenue Amendment) be approved by Council AND FURTHER THAT the Amendment be forwarded to the Department of Municipal and Intergovernmental Affairs for registration.

Discussion: The amendment resulted from an application from East Coast Hydraulics to re-designate a 1073.6 m<sup>2</sup> portion of land along the north and northeast sides of the parcel at 9 Sagona Avenue from ‘Recreational Open Space’ to ‘Industrial’ and concurrently rezone the same portion of land from ‘Open Space (OS)’ to ‘Industrial-Light (IL)’.

Question called. Motion carried unanimously.

14-08-577 Reefer Repair Services – Deficiencies  
172-180 Glencoe Drive

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT an Order be issued to the property owners of 172-180 Glencoe Drive to have the following items addressed within 14 days or the City will complete the items and invoice the business accordingly:

1. Landscaping.
2. Re-grading of rear yard bank which continues to encroach on a pipeline right of way.
3. Repair of front entranceway to address water ponding issues.

Question called. Motion carried unanimously.

14-08-578 Mount Pearl – Paradise Chamber of Commerce  
Business Expo 2014

On September 24 the Mount Pearl-Paradise Chamber of Commerce will be hosting its first Business Expo at the Reid Community Centre. Business owners interested in participating may contact the Chamber’s office via the Chamber’s website at [www.mtpearlparadisechamber.com](http://www.mtpearlparadisechamber.com).

14-08-579 Annual Youth Ventures Award  
August 14, 2014

Congratulations were extended to the recipients of the NL Youth Venture Awards, in particular, Megan Warren who received the Youth Ventures Award for Mentor of the Year, and to the Metro Business Opportunities Youth Ventures office located in Mount Pearl. The Youth Ventures Annual Awards showcases youth entrepreneurial accomplishments.



14-08-580     Development Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT development permits issued for the period of August 11 - 22, 2014 be accepted as presented.

Question called. Motion carried unanimously.

14-08-581     Building Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT building permits issued for the period of August 11 - 22, 2014, showing a total construction value of \$1,616,110.00, be approved as presented.

Question called. Motion carried unanimously.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

No report.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

14-08-582     Note to Motorists  
                  Caution City Streets & Schools

Motorists were reminded to be mindful of the school zones, signage, entrances and exits surrounding the schools.

NEW BUSINESS

14-08-583     Resurfacing of Outdoor Courts

The public was advised that work has commenced on the resurfacing of the Trafalgar/Nelson Park Courts as well as the Park Avenue Basketball Courts and Track & Field Long Jump.

14-08-584     Youth Performing Arts Showcase  
                  Saturday, August 30 - City Hall Gazebo

The public was advised there will be a Youth Performing Arts Showcase at the City Hall Gazebo on Saturday, August 30, from 3:00 – 5:00 pm. The showcase will feature young artists in Mount Pearl.

14-08-585     Parking of RV's/Trailers – City Streets

Deputy Mayor Locke advised of a resident's concerns relating to safety/site line impediments regarding the parking of RV's/trailers on a City street. This particular complaint to be re-checked by municipal enforcement. It was requested that the Transportation & Public Safety Committee consider options to regulate the parking of RV's/trailers on City streets.

14-08-586     Ultimate Recipient Gas Tax Agreement

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted for the Mayor and Chief Administrative Officer to execute the ultimate recipient gas tax agreement for the period of 2014-2019.

Discussion: The City's total allocation is \$5,113,457. Appreciation was extended to all levels of government in securing this funding.

Question called. Motion carried unanimously.

14-08-587     Association for the Arts in Mount Pearl (AAMP)

Councillor Ledwell extended congratulations and appreciation to AAMP for the Arts in the Park series. He noted that Arts Week is September 13 - 20 in Mount Pearl and AAMP will be holding their ARTFUSION Festival on September 13 at the Kenmount Park Centre. Further details are available on their website [www.aamp.ca](http://www.aamp.ca).

14-08-588     Racing with the Reverend – Announcement & Celebration

Mayor Simms advised that Reverend David Burrows and his team will be holding an event on Thursday, August 28, (4:00 – 7:00 pm) at St. David's field. He noted that representatives from the Icecaps/Williams Family Foundation will be making a donation. The overall event is to raise awareness and funding for the Autism Society NL.

ADJOURNMENT

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

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Chairperson

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Deputy City Clerk