



**PUBLIC COUNCIL MEETING MINUTES  
December 13, 2016**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on December 13, 2016 at 4:30 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  
Gerry Antle, Director, Infrastructure & Public Works  
Jason Collins, Director, Community Services  
Mona Lewis, Deputy City Clerk

**Mayor Simms chaired the meeting.**

16-12-767     Adoption of Agenda

Motion – Councillor Tessier/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

16-12-768     Adoption of Minutes

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on November 29, 2016 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

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

16-12-769     Request for Change Order Approval (RCO) – Admiralty House Annex Upgrades

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT the following change order for the Admiralty House Annex Upgrades project be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Price + Contract Allowances	\$608,845.14
O7	Deletion of steps, handrails and accessible ramp and walkway in front of Annex. Due to actual grading onsite the ramp and rails were not required.	\$-1,800.00
	Total Change Orders	\$-1,800.00
	Previously Approved Change Orders	\$23,444.04
	Revised Contract Price	\$630,489.18

Question called. Motion carried unanimously.

16-12-770     Request for Change Order Approvals (RCO) - Reid Centre Interior Renovations

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT the following change orders for the Reid Centre Interior Renovations project be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Price + Contract Allowances	\$1,139,313.27
14	Ceilings in rooms 111 and 141 to be changed out to accommodate the new ceiling lights and air diffusers.	\$2,319.57
19	Install baffles on the Summit Centre Facility Intakes.	\$40,898.00
	Total Change Orders	\$43,217.57
	Previously Approved Change Orders	\$26,446.41
	Revised Contract Price	\$1,208,977.26

Question called. Motion carried unanimously.

16-12-771 Request for Change Order Approvals (RCO) – St. David’s Park Redevelopment (Change Order Update)

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT the following change orders for the St. David’s Park Redevelopment project be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Price + Contract Allowances	\$1,954,924.78
19	Supply and Install two (2) stainless steel access covers on drainage structure	\$3,137.11
20	Electrical ground fault protection.	\$2710.55
	Total Change Orders	\$5,847.66
	Previously Approved Change Orders	\$117,046.56
	Revised Contract Price	\$2,077,819.00

Question called. Motion carried unanimously.

16-12-772 Project Updates

Updates on various projects ongoing throughout the city were presented. It was clarified that the parking lot work (paving) for the Ross King Memorial Library was extended to June 2017 given the weather conditions. The roof work had commenced and will be finished during dry (no precipitation) weather.

16-12-773 Public Works Maintenance Updates

It was noted that Christmas lights and decorations have been installed at St. David’s Park and the majority of the full night crew has been implemented. Snow clearing operations were in full force today and will continue with cleanup efforts. The public was reminded that on-street parking is not permitted from 1:00 AM – 8:00 AM or during a storm (snow or ice) and for 12 hours after. An update on

repairs to the water main breaks (Commonwealth Avenue and Fourth Street) was provided.

PLANNING AND DEVELOPMENT COMMITTEE

16-12-774     Mount Pearl Development Regulations 2010 Amendment No. 58, 2016  
(Telecommunications Numbering Amendment)

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the Mount Pearl Development Regulations 2010 Amendment No. 58, 2016 (Telecommunications Numbering Amendment) be adopted.

Discussion: The amendment will correct an inconsistency in the numbering in the Development Regulations 2010 as it pertains to telecommunications towers within the Industrial – Light (IL) use zone. It was noted that the amendment has no bearing on the East Link application (which was denied) for a communications tower.

Question called. Motion carried unanimously.

16-12-775     Universal Design Workshop – January 21, 2016  
Final Report

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the summary report of the Universal Design Workshop be accepted by Council, distributed to workshop attendees, and posted on the City's website.

Question called. Motion carried unanimously.

16-12-776     Notice of Motion  
Mount Pearl Development Regulations 2010

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 would, at a regular meeting of Council, move an amendment to the text of the Mount Pearl Development Regulations 2010 that, if enacted, would:

1. In Section 2, Definitions; add the following definition:

“**BEEHIVE**” means a structure in which bees are kept, typically in the form of a box specifically built for that purpose.

2. In Section 7, Special Developments; after Subsection 7.5, - Bed and Breakfast; add a new Subsection 7.6 titled “Beehive” that reads as follows, and renumber subsequent subsections accordingly:

## **7.6 Beehive**

A beehive may be permitted at the discretion of Council and shall be subject to the following conditions:

- 7.6.1 a maximum of two (2) beehives may be kept for each subject property.
- 7.6.2 a beehive to be installed on the ground;
  - (a) shall be installed in the rear yard of the subject property;
  - (b) shall be a minimum of five decimal five metres (5.5 m) from any property line;
  - (c) fencing, hedging, or other suitable barrier, of a minimum height of one decimal eight three metres (1.83 m) which extends a minimum distance of four decimal five metres (4.5 m) past the nearest point of the bee hive, shall be established to direct bees away from neighbouring buildings; and
  - (d) the entrance of the beehive shall be aimed away from neighbouring buildings;
- 7.6.3 a beehive to be installed on a rooftop;
  - (a) shall be a minimum of two point five metres (2.5 m) from any property line; and
  - (b) the rooftop shall be able to support the beehive;
- 7.6.4 a water source shall be provided for the bees on the same property as the principle building;
- 7.6.5 the individual proposing to install and maintain the beehive shall submit written confirmation that the person is trained in the keeping of bees or will be mentored by an existing beekeeper who has more than two (2) years' experience caring for bees in Newfoundland and Labrador;
- 7.6.6 the beehive structure shall be a Langstroth type of beehive; and
- 7.6.7 the application shall be processed in accordance with Regulations 3.7 and 4.17.

- 3. Add "7.6 – Beehive" to the Table of Contents.
- 4. Make necessary adjustments to all references to subsection numbers, i.e. "(Subject to Regulation 7.x)" that will be changed as a result of this addition.
- 5. Add "Beehive (Subject to Regulation 7.6)" under the list of Discretionary Uses in all use Zones

The purpose of the proposed amendment is to give Council the authority to consider applications to install beehives in the City.

16-12-777 Development Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT development permits issued for the period of November 28 – December 9, 2016 be approved as presented.

Question called. Motion carried unanimously.

16-12-778 Building Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT building permits issued for the period of November 28 – December 9, 2016, showing a total construction value of \$216,700.00, be approved as presented.

Question called. Motion carried unanimously.

CORPORATE & COMMUNITY SERVICES COMMITTEE

16-12-779 Invoices for Approval

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Afonso Group Limited (Prep & Install Liner - Groves Place)	\$ 9,056.25
2.	Afonso Group Limited (Install Liner 14 Jackman)	\$ 5,290.00
3.	Bursey Excavating & Development Inc. (Completion of Work CP#1 Parkdale Ridge)	\$ 294,214.68
4.	City of St. John's (City's Share of Fire Dept. Services Dec/16)	\$ 414,296.05
5.	Corporate Express (Furniture for Reid Center)	\$ 5,225.51
6.	Cox & Palmer (Legal Fees)	\$ 5,660.88
7.	Grand Concourse Authority (Pedestrian Bridge Upgrades Lower Park Ave Claim#2)	\$ 16,198.93
8.	Jewer Bailey Consultants Limited (Glacier Electrical Room Heat Relief)	\$ 7,360.00
9.	Kelloway Construction Ltd (Cleaning of Summit Nov/16)	\$ 10,598.38

10.	Kelloway Construction Ltd (Cleaning Services Nov/16)	\$ 17,058.31
11.	Kelloway Construction Ltd (Cleaning Services Oct/16)	\$ 14,758.31
12.	Kelloway Construction Ltd (Cleaning of Summit Oct/16)	\$ 10,598.38
13.	Marvin Chaulk Consulting (Community Profile Project - 60% Billing)	\$ 12,582.26
14.	OnX Enterprise Solutions (IT Equipment)	\$ 15,529.36
15.	OnX Enterprise Solutions (IT Server)	\$ 11,025.58
16.	OnX Enterprise Solutions (IT Server)	\$ 11,025.58
17.	OnX Enterprise Solutions (IT Memory Kits)	\$ 6,271.99
18.	OnX Enterprise Solutions (IT Memory Kits)	\$ 6,271.99
19.	Opus International Consultants (Asset Management Phase 2 May-June/16)	\$ 13,122.13
20.	Newfoundland HVAC (Replace Furnace in Parks Shed)	\$ 6,561.21
21.	VOHL Inc. (Communications for Blowers Units 620,621,622)	\$ 12,740.59
22.	Opus International Consultants (Asset Management Phase 2 Apr-May/16)	\$ 26,528.16
23.	Harris Ryan (Professional Services - 2015 Audit)	\$ 15,496.25
24.	Tucker Electronics Ltd. (Supply/Install AV Display Reid Centre)	\$ 6,029.28
		\$ 953,500.06

Question called. Motion carried unanimously.

Motion – Councillor Ledwell/Councillor Stoyles

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

Account #	Amount Deferred
795	\$1,394.51
6199	\$2,159.50
8643	\$1,946.70

Question called. Motion carried unanimously.

16-12-781 Uncollectible Accounts

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to write off the balances and remove the following accounts from the City's records:

Account No.	Principal	Interest	Total
9996	\$1,449.57	\$34.60	\$1,484.17
9985	\$276.17	\$58.67	\$334.84
9902	\$3,189.23	\$184.30	\$3,373.53
8799	\$11,459.53	\$166.38	\$11,625.91
9928	\$4,294.31	\$451.95	\$4,746.26

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

Question called. Motion carried unanimously.

16-12-782 Mount Pearl Sport Alliance Memorandum of Understanding (MOU)  
January 1, 2017 to December 31, 2019

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT a Memorandum of Understanding between the City and the Mount Pearl Sport Alliance, which includes the provision of an annual operating subsidy in the amount of \$167,000 and in-kind support at an estimated amount of \$48,000, for the period of January 1, 2017 to December 31, 2019, be approved.

Question called. Motion carried unanimously.



16-12-783 Association for the Arts in Mount Pearl – Memorandum of Understanding  
January 1, 2017 to December 31, 2019

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT a Memorandum of Understanding between the City and the Association for the Arts in Mount Pearl, which includes the provision of an annual operating subsidy in the amount of \$10,000, for the period of January 1, 2017 to December 31, 2019, be approved.

Question called. Motion carried unanimously.

16-12-784 Mount Pearl Seniors Independence Group Memorandum of Understanding  
January 1, 2017 to December 31, 2019

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT a Memorandum of Understanding between the City and the Mount Pearl Seniors Independence Group, which includes the provision of an annual operating subsidy in the amount of \$37,000 to cover the payment of administration costs associated with staff and core programs of the organization, as well as the costs associated with operating the 60+ activities, and in-kind support at an estimated amount of \$40,000, for the period of January 1, 2017 to December 31, 2019, be approved.

Question called. Motion carried unanimously.

16-12-785 Christmas Hours  
Mount Pearl Summit Centre, Gloria Pearson Centre and Glacier Arena

The Christmas hours for the City's recreational facilities were presented.

16-12-786 Family First Night Celebrations, December 31, 2016  
Summit Centre & Glacier Arena

For the information of the public, on December 31<sup>st</sup> from 10:30 am to 12:45 pm, the Summit Centre is offering a FREE public swim, all families are invited.

The annual first night skate celebrations will take place at the Glacier Arena from 4:00 to 6:00 pm, and families are invited, free of charge, to this non-alcohol family event.

**2017 Budget Presentation**

Councillor Stoyles provided an overview of the budget process, the highlights of 2016 and plans for 2017.

16-12-787     2017 Tax Rates

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the City of Mount Pearl, in accordance with *The City of Mount Pearl Act*, establish the following tax rates for the 2017 taxation year:

**Property Tax**

Residential	7.0 mils
Commercial	12.0 mils

**Water and Wastewater Fees**

Residential	\$600 per unit
Commercial	2.3 mils (Minimum \$600)

**Commercial Water Fees**

a)	0 - 100,000 gallons	No additional charge
	100,000 - 20 million gallons	\$6.00 per thousand
	Over 20 million gallons	\$5.50 per thousand
b)	School Boards	\$11.00 per student
c)	Provincial Government Buildings	6.0 mils

**Business Tax**

Banks & Financial Institutions	77.5 mils
Bulk Storage – Oil Companies	39.4 mils
Professional Operations	24.0 mils
Large Department Stores	20.9 mils
Oil and Gas Service Industry	20.9 mils
Recreational and Non-profit Organizations	11.7 mils
Hotels/Motels/Private Schools	16.1 mils
Self Storage	62.7 mils
General Commercial	17.5 mils
Day Care Facilities	Exempt
Personal Care Homes	Exempt
Agricultural Operations	3.04 mils

All businesses subject to taxation under the Taxation of Utilities & Cable Television Companies Act and commercial establishments without a fixed place of business within the city.     2.5% of annual gross revenue

**Waste Collection Fees**

Automated Waste Collection Fees (per bin – maximum 2 bins per house)	\$20 per annum
---	----------------

**Minimum Taxes**

- Residential Property \$200
- Commercial Property \$250
- Business Tax \$250
- Billboards (per side) \$100

Question called. Motion carried unanimously.

16-12-788 2017 Rates & Fees

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the City of Mount Pearl, in accordance with *The City of Mount Pearl Act*, approve the presented Schedule of Rates & Fees, to take effect January 1, 2017.

Question called. Motion carried unanimously.

16-12-789 Interest Rate

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the City of Mount Pearl, in accordance with *The City of Mount Pearl Act*, approve an annual rate of interest of 10% to be levied on all past due taxes and accounts receivable.

Question called. Motion carried unanimously.

16-12-790 Revenues and Expenditures

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the City of Mount Pearl, in accordance with *The City of Mount Pearl Act*, approve the 2017 Budget with operating Revenues and Expenditures totalling \$49,730,000.

Question called. Motion carried unanimously.

NEW BUSINESS

16-12-791 2017 Budget

Councillor Aker advised that he was pleased to support the 2017 budget noting that it was a responsible and reasonable budget. He commented on the Lean management process; asset management; implementation of the mandatory clear garbage bag program; and the administrative fees for the regional services. He voiced his support of the zero-based budget approach that was used.

Mayor Simms advised that work on the 2017 budget started early with the goal to have it as a “hold the line” budget. He was pleased that this goal had been met.

The efforts of members of Council and senior staff in preparing this year’s budget were acknowledged with appreciation.

16-12-792 Season’s Greetings

Members of Council extended season’s greetings to residents as well as staff and acknowledged their efforts with much appreciation.

16-12-793 Mount Pearl Lions Club Santa Claus Parade

Deputy Mayor Locke and Councillor Ledwell commented on the success of this year’s parade and extended appreciation to the Lions Club for their efforts in putting off the parade for 60 years.

16-12-794 Mount Pearl Seniors Independence Group

Deputy Mayor Locke noted that the Seniors Independence Group held a very well attended Christmas dinner and dance and that the success of the Group is evident by their many members.

16-12-795 Congratulations – Nick Earle & Joe Coffin

Deputy Mayor Locke extended congratulations to Nick Earle and Joe Coffin who were the recipients of the Canadian Folk Music Award for Young Performers of the Year for their album “Nick Earle & Joe Coffin Live at The Citadel House”. It was requested that a letter of congratulations be forwarded from the Mayor.

16-12-796 Condolences – Fraser Rees

Councillor Stoyles extended condolences to the family and friends of the late Fraser Rees, noting his involvement with the Royal Canadian Legion.

16-12-797 Condolences – Lorraine (Woodfine) Hudson

Councillor Stoyles extended condolences to the family and friends of the late Lorraine (Woodfine) Hudson.

16-12-798 Serenity Nursing & Home Support Services

Councillor Stoyles extended congratulations to Serenity Nursing & Home Support Services on their 20<sup>th</sup> year in business.

16-12-799 Snow Clearing Operations

Councillor Walsh commented on the improved level of service in snow clearing the secondary streets.

16-12-800     Snow Clearing Regulations

Councillor Tessier reminded residents that it is against regulations to shovel, plow or blow snow onto streets and sidewalks and that vehicles are not permitted to be parked on streets between 1:00 AM – 8:00 AM or during a storm.

16-12-801     Christmas Holidays – Children

Councillor Tessier reminded motorists to exercise caution in these winter conditions particularly now that students will be on their Christmas break.

16-12-802     Blue Zones

Councillor Tessier encouraged those responsible to keep blue zones clear of snow and accessible.

16-12-803     Best in Business – Mount Pearl-Paradise Chamber of Commerce

Councillor Aker extended congratulations to all nominees and recipients of the Chamber's Best in Business Awards.

16-12-804     Blue Zones – Reid Centre

Councillor Aker advised that the Seniors Independence Group has advised that there are insufficient blue zones for patrons of the Reid Centre. He noted that the matter is under review.

16-12-805     Canada Post – Community Mailboxes

Councillor Aker advised that a House of Commons committee is recommending Canada Post develop a plan to reinstate door-to-door delivery in parts of the country that lost the service in the last year and maintain a freeze on the installation of community mailboxes.

ADJOURNMENT

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

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy City Clerk