



**PUBLIC COUNCIL MEETING MINUTES
December 15, 2015**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on December 15, 2015 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
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director, Community Services
Mona Lewis, Deputy City Clerk

Mayor Simms chaired the meeting.

15-12-803 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

15-12-804 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on December 1, 2015 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

15-12-805 Mount Pearl Lions Club – Santa Claus Parade

Congratulations were extended to the Club on a successful event noting that it was the 60th anniversary of their parade. Appreciation was extended to all who made contributions supporting the food bank. In addition to food items, approximately \$2,500 was collected which was matched by Scotia Bank.

15-12-806 Mount Pearl Senior High (MPSH) – Musical Production

Congratulations were extended to MPSH students on a successful musical production recently held at the LSPU Hall.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

15-12-807 Notice of Motion
 Solid Waste 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 would, at a regular meeting of Council, under the authority of Section 278 of the City of Mount Pearl Act, bring forward a motion for revisions to the Solid Waste Regulations.

15-12-808 Request for Change Order Approval – Gymnastics Facility

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT the following change order for the Gymnastics Facility project be approved:

Title	Details	Amount
RCO#6	Modification to an existing manhole to ensure proper sanitary lateral connection.	\$3,729.00
	Total (HST included)	\$3,729.00

Question called. Motion carried unanimously.

15-12-809 Request for Change Order Approval – St. David’s Park Redevelopment

Motion – Councillor Tessier/Councillor Aker

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

Title	Details	Amount
RCO#09	In order to reduce water infiltration and mitigate the heaving and subsequent asphalt damage at the tennis court area (closest to Ruth Avenue), an infiltration trench is proposed east of the proposed playground and west of the existing tennis courts.	\$1,435.10
	Total (HST included)	\$1,435.10

Question called. Motion carried unanimously.

15-12-810 Project Updates

An update on the active projects currently underway affecting streets and traffic throughout the City was provided.

It was indicated that the tender for the demolition of the Smallwood Arena and remediation of the site is expected to be called later this month or early January with work commencing mid-winter. Subject to suitable weather conditions, the project could take a couple of months to finish.

15-12-811 Winter Maintenance

It was noted that the winter maintenance full regular nightshift has begun. An update on snowclearing operations following the recent snowfall was provided. Motorists were requested to provide as much clearance as possible to snow-clearing equipment.

PLANNING AND DEVELOPMENT COMMITTEE

15-12-812 Mount Pearl Development Regulations 2010 Amendment
Mini-Split Heat Pump Amendment

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the Mount Pearl Development Regulations 2010 Amendment No. 50, 2015 (mini-split heat pump amendment) be adopted and submitted to the Department of Municipal Affairs for registration of the amendment.

Question called. Motion carried unanimously.

15-12-813 TRACT Consulting Inc. – Kenmount Road CDS re 190 m Contour
Meeting with Consultant of December 7, 2015 and Next Steps

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the supplemental amount of \$11,140.00 (plus HST) be approved as proposed by TRACT Consulting and the Kenmount Road Comprehensive Development Scheme agreement between the City and TRACT to reflect the supplemental work and amount.

Question called. Motion carried unanimously.

15-12-814 CMT Inc. / (Seaforce Properties Inc. for Use by Oceanex)
Application for Temporary Trailer Storage Area
60-62 Glencoe Drive

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the application by CMT Inc., on behalf of Seaforce Properties Inc., for site improvements to the property at 60-62 Glencoe Drive to accommodate a temporary transport trailer storage yard for use by Oceanex be approved and a development permit be issued for a temporary use for a period of up to two years subject to the conditions outlined in the Committee report dated December 9, 2015.

Question called. Motion carried unanimously.

15-12-815 Oceanex
Extension of Temporary Permit – Tractor Trailer Storage Yard
1 Old Placentia Road

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the application by Oceanex to occupy the entire parcel at 1 Old Placentia Road as a Light Industrial Use (Tractor Trailer Storage and

Circulation Yard) be approved and a conditional development permit for a temporary outside storage use be extended for a period of up to two years.

Discussion: It was acknowledged that at the end of this two year period it is hoped that an application would be submitted for a permanent development. It was noted that the property owner has addressed the issue of dust but the bigger concern is noise. A permanent application would be considered under a different lens and approval subject to other conditions.

Question called. Motion carried unanimously.

15-12-816 Auto Trim Design / Krown Rust
Extension to a Non-Conforming Use, Phased Conversion, Change of Use
Residential to Commercial and Associated Site Work
1174-1178 Topsail Road

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT an application by the property owner, Auto Trim Design / Krown Rust, to construct a building extension with a floor area of 106 m² (1140 square feet) to the rear (north elevation) of the existing single detached dwelling at 1174 – 1178 Topsail Road using the existing single detached dwelling from residential use to a commercial use be approved and a development permit be issued subject to the conditions outlined in the Committee report dated December 9, 2015.

Question called. Motion carried unanimously.

15-12-817 Notice of Motion
Amendment – 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 will, at a regular meeting of Council move an amendment to the text of the Mount Pearl Development Regulations 2010 that, if enacted, will:

In Section 11.12 – Commercial General Use Zone Table, add a condition which provides Council with the discretionary authority to consider the commercial redevelopment of existing substandard lots along Commonwealth Avenue subject to a number of conditions.

The purpose of this amendment is to provide Council with the discretionary authority to consider and approve commercial redevelopment applications of lots that do not meet the minimum commercial use development standards of the GC use zone along Commonwealth Avenue subject to a number of conditions.

15-12-818 Development Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT the development permits issued for the period of November 27 – December 11, 2015 be approved as presented.

Question called. Motion carried unanimously.

15-12-819 Building Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT building permits issued for the period of November 30 – December 11, 2015, showing a total construction value of \$1,705,900.00, be approved as presented.

Question called. Motion carried unanimously.

CORPORATE & COMMUNITY SERVICES COMMITTEE

15-12-820 Invoices for Approval

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the following invoices be approved for payment:

1.	Avalon Coal & Salt (Road Salt Bulk)	\$ 105,165.07
2.	B & B Sales (Propane Stove for Reid Center)	\$ 10,146.27
3.	Bae-Newplan Group (Prof Services Street Improvements)	\$ 24,008.82
4.	City of St. John's (Water Consumption for November/15)	\$ 291,468.05
5.	City of St. John's (City's Share of budget for Regional Fire)	\$ 402,074.33
6.	Clearaway Contracting Limited (Street Markings Aug-Dec/15)	\$ 43,558.11
7.	Colonial Garage & Distributors Ltd (Repairs)	\$ 6,888.56
8.	Crane Supply (6 Covers/Frames)	\$ 5,505.36

9.	Dexter Construction Company Limited (Upgrades Pumphrey & Princeton Sept 30-Oct 31/15)	\$ 306,661.81
10.	Econolite Canada Inc. (Detection Pucks Corisande & T Byrne Intersections)	\$ 12,765.50
11.	Econolite Canada Inc. (Cobalt Controller)	\$ 16,970.45
12.	Farrell's Excavating Limited (4" Minus & 3/4' Road Gravel)	\$ 5,906.94
13.	Fougere Menchenton Architecture (16-24 Glendale Avenue Amendment)	\$ 10,378.54
14.	Fougere Menchenton Architecture (Architectural Services)	\$ 26,574.67
15.	GCR Tire Centres (Tires)	\$ 5,139.69
16.	Grand Concourse Authority (Progress Payment for Admiralty House Gazebo)	\$ 40,000.00
17.	Grand Concourse Authority (St Peter's Ballfield)	\$ 150,666.92
18.	Hitech Communications (AVL Tracking System for Oct/15)	\$ 6,462.02
19.	Hitech Communications (AVL Tracking System for Nov/15)	\$ 6,462.02
20.	Infinity Construction Ltd (Municipal Avenue Street Upgrading CP2)	\$ 165,497.94
21.	Infinity Construction Ltd (Street Upgrading Smallwood Drive Sidewalks CP5)	\$ 448,732.17
22.	JW Lindsay Enterprises Limited (Construction of New Gymnastics Facility PP3)	\$ 462,296.83
23.	Kelloway Construction Ltd (Painting/Plastering at Depot)	\$ 10,848.00
24.	Kelloway Construction Ltd (Cleaning Contract Nov/15)	\$ 16,761.63
25.	LSW Wear Parts Limited (Plow Blades)	\$ 9,130.40
26.	Madsen Construction (Extended Warranties for Loaders)	\$ 16,859.60
27.	Madsen Construction (New Loaders)	\$ 618,878.40
28.	Madsen Construction (Modification to Loader Wing)	\$ 7,360.82

29.	Modern Paving Limited (Street Upgrade CP4 PP#5)	\$ 384,602.97
30.	Modern Paving Limited (Project TP-15-004 PP#3 Concrete & Asphalt)	\$ 270,563.17
31.	Newfound Construction (Street Upgrading CP1 PP#7)	\$ 24,624.38
32.	Newfound Construction Street Upgrading CP1 PP#6)	\$ 187,918.33
33.	Parts for Trucks Inc. (Salter Parts)	\$ 6,553.28
34.	Practica Ltd (Dog Pickup Bags & Dispensers)	\$ 6,100.78
35.	Provincial Fence Products Limited (Repairs to Yard Fence at Depot)	\$ 8,588.00
36.	RICOH Canada Inc. (Laserfiche Quickfields)	\$ 25,638.57
37.	Russell's Land Design (Pollux Drive Tree Planting)	\$ 19,888.00
38.	St. John's Transportation Commission (Metrobus Service for Oct/15)	\$ 103,792.91
39.	Steelfab Industries Limited (Parts for Loader)	\$ 29,763.41
40.	Temple Consulting Group Ltd (Software Services Jan-Dec/16)	\$ 16,048.26
41.	Total Lubricants Canada Inc. (Parts)	\$ 5,166.64
42.	Madsen Construction Equipment (Loader Parts)	\$ 10,539.72
		\$4,332,957.34

Question called. Motion carried unanimously.

15-12-821 Tax Deferrals – Low Income Earners

Motion – Councillor Stoyles/Councillor Ledwell

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

Account #	Amount Deferred
5773	\$ 2,008.21
10396	\$ 1,089.45
2961	\$ 4,659.86

Question called. Motion carried unanimously.

15-12-822 Winter Program Registration 2016 – Aquatics & Fitness

For the information of the public, the aquatic program registration for Mount Pearl residents commenced December 14 at 5:00 pm; the open/non-residents registration will take place on December 17 at 5:00 pm. The fitness program registration started December 15 and is open to everyone.

15-12-823 Christmas Hours
Summit Centre, Kenmount Park Centre and Glacier Arena

The hours of operation for the City’s recreational facilities during the Christmas break were presented. Further details are available on the City website.

15-12-824 Family First Night Celebrations
December 31, 2015

The Family First Night Celebrations will take place at the Glacier Arena on December 31 from 4:00 - 6:00 pm. Families are invited free of charge to this non-alcohol family event. It was noted that consideration will be given to hosting the event at the Summit Centre in 2016 and alternating sites (between Summit Centre and Glacier) thereafter.

2016 BUDGET PRESENTATION

Councillor Ledwell provided an overview of the budget process, the highlights of 2015 and plans for 2016.

15-12-825 2016 Tax Rates

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the City of Mount Pearl, in accordance with the City of Mount Pearl Act, establish the following tax rates for the 2016 taxation year:

Property Tax – Residential	7.0 mils
Property Tax – Commercial	12.0 mils

Water/Wastewater Fee - Residential	\$600 per unit
Water/Wastewater Fee- Commercial (Minimum \$600)	2.3 mils
Commercial Water Rate	
• 0 - 100,000 gallons	No charge
• 100,000 - 20 million gallons	\$6.00 per thousand
• Over 20 million gallons	\$5.50 per thousand
School Boards – Water/Wastewater Fee	\$11.00 per student
Provincial Government Buildings – Water/Wastewater Fee	6.0 mils
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
Automated Waste Collection Fees (maximum two bins per house)	\$20 per annum

Minimum Tax

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

Question called. Motion carried unanimously.

15-12-826 2016 Rates & Fees

Motion – Councillor Stoyles/Councillor Ledwell

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, 2016.

Question called. Motion carried unanimously.

15-12-827 Interest Rate

Motion – Councillor Stoyles/Councillor Ledwell

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.

15-12-828 Revenues and Expenditures

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the City of Mount Pearl, in accordance with The City of Mount Pearl Act, approve the 2016 Budget with operating Revenues and Expenditures totalling \$49,525,000.

Discussion: The change to the charge for water service repair was acknowledged. It was noted that it may be possible for residents who qualify to have this charge added to their property account similar to the tax deferral policy for low income earners. It was recognized that there were projects that were considered, i.e. urban forestry plan but not approved as it was determined that other projects such as investing into asset management took priority at this time. It was indicated that although there was a mil rate reduction it still resulted in a 5% - 7% increase to taxpayers. This budget would see improved infrastructure as opposed to new buildings and roads.

Question called. Motion carried unanimously.

NEW BUSINESS

15-12-829 2016 Budget

Members of council acknowledged the efforts of the Corporate and Community Services Committee and senior staff in preparing this year's budget. Appreciation was extended to all.

15-12-830 Season's Greetings

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

15-12-831 Tax Deferrals

Councillor Stoyles voiced her support for the continuation of tax consideration for low income residents and senior citizens during the budget process.

15-12-832 Condolences

Councillor Stoyles extended condolences to the Earles' family on the passing of Margaret and Kieran.

15-12-833 Snowclearing Regulations

Councillor Tessier reminded residents that on-street parking is not permitted overnight, during a storm or 12 hours after thereby allowing the streets to be cleared of snow in an efficient and safe manner.

15-12-834 2016 Budget Brochure

Mayor Simms advised that the 2016 budget brochure (showing where the money comes from and where it goes) will be available on the City website, forwarded to applicable organizations as well as available at City Hall.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:45 pm on a motion by Councillor Tessier.

Chairperson

Deputy City Clerk