



**PUBLIC COUNCIL MEETING MINUTES
January 10, 2017**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on January 10, 2017 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

Stephen Jewczyk, Director, Planning & Development
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director, Community Services
Lisa Warren, Administrative Assistant, Corporate Services

STAFF ABSENT

Michele Peach, Chief Administrative Officer
Mona Lewis, Deputy City Clerk

Mayor Simms chaired the meeting.

17-01-001 Adoption of Agenda

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

17-01-002 Adoption of Minutes

Motion – Councillor Stoyles /Councillor Walsh

RESOLVED THAT the minutes of the public meeting held on December 13, 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

17-01-003 Department of Municipal Affairs

A letter was presented from the Department of Municipal Affairs advising that as a result of the *Lands Act* review report, the Crown Lands Administration Division, Lands Branch, will forward registered applications to municipal councils as part of the referral process starting January 3, 2017.

17-01-004 Canadian Home Builders' Association NL (CHBA-NL)

A letter was presented from the CHBA-NL requesting all urban municipalities to either temporarily delay adoption of the National Building Code 2015 or if it has already been adopted to allow lead time to allow industry to prepare for the coming changes through training.

It was noted that the City has already implemented the National Building Code 2015.

COMMITTEE REPORTS

CORPORATE & COMMUNITY SERVICES COMMITTEE

17-01-005 Invoices for Approval

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the following invoices be approved for payment:

| | | |
|----|---|---------------|
| 1. | Afonso Group Limited (Prep & Install Pipe & Liner - Whiteley Drive) | \$ 7,417.50 |
| 2. | Atlantic Sandblasting & Painting (Sandblast & Paint Unit 631 Loader) | \$ 6,103.05 |
| 3. | Avalon Coal Salt & Oil (Road Salt) | \$ 176,666.97 |

| | | |
|-----|---|---------------|
| 4. | Audio Systems Limited (Reid Centre PA System) | \$ 8,024.86 |
| 5. | Eastern Siding Systems Inc. (Supply & Install Paint & Plaster) | \$ 6,204.25 |
| 6. | Econolite Canada Inc. (Traffic Light Upgrades) | \$ 7,805.05 |
| 7. | Everbridge Inc. (Mass Notification License Fee) | \$ 6,625.00 |
| 8. | Fougere Menchenton Architecture (Professional Services - Admiralty House) | \$ 12,000.25 |
| 9. | Fougere Menchenton Architecture (Professional Services - Admiralty House) | \$ 18,000.38 |
| 10. | Island Office Furniture (City Hall-Furniture & Fixtures) | \$ 5,646.14 |
| 11. | KPMG LLP, T4348 (Professional Services) | \$ 13,515.56 |
| 12. | Madsen Power Systems Inc. (Generator Maintenance - City Hall/Depot) | \$ 7,360.00 |
| 13. | Memorial University of Newfoundland (Grant for Graduate Student) | \$ 12,000.00 |
| 14. | Municipalities Newfoundland & Labrador (NEAR Plan Fund) | \$ 34,925.00 |
| 15. | Municipalities Newfoundland & Labrador (2017 Membership Fees) | \$ 16,672.40 |
| 16. | Redwood Construction Ltd (St. David' Park Redevelopment - Cert #8) | \$ 68,027.11 |
| 17. | RICOH Canada Inc. (File Digitization) | \$ 6,666.45 |
| 18. | St. John's Transportation Commission (City's Share of Transit Service Cost Nov/16) | \$ 95,101.55 |
| 19. | Temple Consulting Group Ltd (Software Services Jan-Dec/17) | \$ 16,332.30 |
| 20. | Urban Contracting (JJ Walsh) Limited (Demolition of 2-6 Worrall Crescent) | \$ 11,385.00 |
| 21. | Xylem Water Solutions (Pump - Wyatt & Grangel Lift Station) | \$ 10,024.02 |
| | | \$ 546,502.84 |

Question called. Motion carried unanimously.

17-01-006 Renewal of Line of Credit

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT approval be granted to renew the \$3,000,000 line of credit with the Bank of Nova Scotia in accordance with Section 116 of *The City of Mount Pearl Act*.

Question called. Motion carried unanimously.

17-01-007 Tax Deferral – Low Income Earner

Motion – Councillor Stoyles/Councillor Ledwell

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

| Account # | Amount Deferred |
|-----------|-----------------|
| 7445 | \$2,674.94 |

Question called. Motion carried unanimously.

17-01-008 Uncollectible Accounts

Motion – Councillor Ledwell/Councillor Stoyles

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

| Account No. | Principal | Interest | Other | Total |
|-------------|-------------|------------|---------|-------------|
| 9064 | \$20,363.77 | \$2,395.32 | \$10.00 | \$22,769.09 |

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

Question called. Motion carried unanimously.

17-01-009 Waterford Valley Rotary Club
Sponsorship Request

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT a \$5,000 sponsorship supporting the Waterford Valley Rotary Club's mobile educational booth on the Waterford River be approved.

Discussion: Councillor Stoyles advised she was not in favour of the sponsorship and would be voting against the motion. She questioned why this sponsorship

should be approved when requests from other community organizations have been denied.

Clarification regarding a councillor voting against a motion that he or she had seconded was provided by Mayor Simms. He noted that the City follows Robert's Rules of Order for conducting meetings and therefore a councillor is permitted to second a motion as well as vote against the same motion.

Members of Council questioned whether approval of the sponsorship would violate the Donations Policy.

Motion to Amend the Original Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT approval be granted to defer the sponsorship request from the Waterford Valley Rotary Club to determine if such approval would be in violation of the City's Donation Policy.

Question called on the amended motion. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

17-01-010 Request for Change Order Approval (RCO) – Waterford River Watershed Management Study (Clean Water & Wastewater Fund)

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT the following change order for the Waterford River Watershed Management Study project be approved:

| RCO # | Description | Value (HST Excluded) |
|-------|---|-------------------------|
| | Original Contract Price (1/3 of \$147,920.00) | \$49,307.00 |
| 01 | Investigation and preparation of preliminary designs and cost estimates for recommended approaches to rectifying cross connection situations. | \$77,620.00 |
| | Total Change Orders | \$77,620.00 |
| | Previously Approved Change Orders | \$00.00 |
| | Revised Contract Price | \$126,927.00 |

Discussion: It was noted that the project is being cost-shared between the Cities of Mount Pearl and St. John's and the Town of Paradise. The additional work is solely for the City of Mount Pearl and is not being cost-shared with the other municipalities.

Question called. Motion carried unanimously.

17-01-011 Request for Change Order Approval (RCO) – Reid Centre Interior Renovations

Motion – Councillor Tessier/Councillor Aker

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

| RCO # | Description | Value (HST Excluded) |
|-------|---|-------------------------|
| | Original Contract Price + Cash Allowances | \$1,139,313.28 |
| 08 | Structural renovation to male change room and janitor's room | \$1,672.00 |
| 10 | a) Add two extra receptacles in two (2) extra data drops in boardroom 134; b) Relocate piping and boxes above ceiling in youth centre to accommodate new bulkheads; c) Provide three (3) new 15 amp, 1 pole circuits. d) Install new conduit for gym camera wiring. | \$7,029.00 |
| 11 | Changes required based on fire inspector review. a) Verification and Fire alarm Materials for existing unit.(Regulatory Change) b) Supply and install 3 extra emergency lights in washrooms (regulatory) c) Install new exit light in corridor 112 and Gym (Regulatory) d) Install Fan forced heater in reception area and bring new feed from panel G (Design Change) e) Install Fire Alarm Strobe in gender neutral washroom (regulatory) f) Supply and install new cage for exit light in the gym (regulatory). | \$7,172.00 |
| 15 | Credit for not painting stairwell. | -\$400.00 |
| 16 | Window sill replacements. | \$ 1,431.65 |
| | Total Change Orders | \$16,904.65 |
| | Previously Approved Change Orders | \$69,663.98 |
| | Revised Contract Price | \$ \$1,225,881.91 |

Question called. Motion carried unanimously.

17-01-012 Project Updates

Updates on various projects ongoing throughout the city were presented.

17-01-013 Public Works Maintenance Updates

An update on winter maintenance activities was provided.

17-01-014 Curbside Clothing Collection (Textile Program)

An update on the curbside clothing collection (pilot project) was provided. Approximately 6,230 kg of textiles was diverted from the landfill, representing approximately 8% of the waste diverted for the period of December 12-19, 2016.

PLANNING AND DEVELOPMENT COMMITTEE

17-01-015 Jumping Bean Roastery
Proposed Coffee Roastery, Office and Warehouse
9 Glencoe Drive

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT the proposed discretionary use (installation of coffee bean roasting equipment) and the renovations to the existing building to accommodate the installation of the aforementioned equipment, and office/warehouse use at 9 Glencoe Drive, be approved subject to Regulation 4.5 of the Development Regulations, and that a development permit be issued subject to the conditions of the following:

1. City Inspector
2. Service NL
3. St. John's Regional Fire Department.

Question called. Motion carried unanimously.

17-01-016 Development Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT development permits issued for the period of December 12 - 30, 2016 be approved as presented.

Question called. Motion carried unanimously.

17-01-017 Building Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT building permits issued for the period of December 12 - 30, 2016, showing a total construction value of \$841,000.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

17-01-018 Residential Fireworks

Deputy Mayor Locke, along with other members of Council, advised of concerns received from residents regarding the residential fireworks on New Year's Eve. Concerns included debris, property damage and the ongoing displays from early evening until early morning on New Year's Day.

It was agreed that the matter would be referred to the Regional Fire Committee for further consideration.

17-01-019 Condolences – Beverley Kelly

Members of Council extended their condolences to the family and friends of the late Beverley Kelly.

17-01-019 Condolences – Dorothy Jones

Councillor Stoyles extended condolences to the family and friends of the late Dorothy Jones, who, at the age of 101, was one of Mount Pearl's oldest residents.

17-01-020 Pets – Cold Temperature

Councillor Tessier reminded residents to be responsible pet owners and not leave pets outside too long during the cold temperatures.

17-01-021 35th Annual Frosty Festival

Councillor Ledwell reminded residents that tickets for the Frosty Festival go on sale Saturday, January 14 at 11:00 AM and a media conference will be taking place Thursday, January 12 at 12:00 PM. Further information is available on the Frosty website, www.frostyfestival.ca.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:37 PM on a motion by Councillor Tessier.

Chairperson

Administrative Assistant
Corporate Services Department