



PUBLIC COUNCIL MEETING MINUTES
January 12, 2016

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on January 12, 2016 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.

16-01-001 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

16-01-002 Adoption of Minutes

Motion – Councillor Walsh/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on December 15, 2015 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

16-01-003 Mount Pearl Development Regulations 2010 Amendment
Mini-Split Heat Pump Amendment

Council was advised that the registered amendment (mini-split heat pump) has not been received from the Department of Municipal Affairs. Upon receipt, applicable residents will be notified of the change. Councillor Walsh advised that he had contacted property owners who had an interest in the amendment.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PLANNING AND DEVELOPMENT COMMITTEE

16-01-004 Property Encroachment – 6 Emberley Place

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT a request to purchase a portion of City property adjacent to 6 Emberley Place be denied, however, approval be granted to enter into an agreement (license to occupy) with the property owner.

Discussion: It was noted that the execution of this agreement will not impact any changes to the Team Gushue Complex site.

Question called. Motion carried unanimously.

16-01-005 Commissioner's Report
Mount Pearl Municipal Plan 2010 Amendment No. 15, 2015 &
Mount Pearl Development Regulation 2010 Amendment No. 48, 2015
(16 -24 Glendale Avenue Amendment)

It was noted that Commissioner Clinton's report with respect to the proposed amendments for the 16 – 24 Glendale Avenue development was received. After reading and hearing the various written and verbal representations presented at the December 10 public hearing, the Commissioner recommended approval of

the Mount Pearl Municipal Plan 2010 Amendment No. 15, 2015 and Mount Pearl Development Regulation 2010 Amendment No. 48, 2015 without amendment.

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT Mount Pearl Municipal Plan 2010 Amendment No. 15, 2015 and Mount Pearl Development Regulation 2010 Amendment No. 48, 2015 be approved and forwarded to the Department of Municipal Affairs for registration AND FURTHER THAT the Commissioner's report be posted on the City's website.

Discussion: It was noted that the Commissioner included in his report that he was satisfied that Council followed the process set out in the Urban and Rural Planning Act for the preparation, consultation, notification and the holding of the public hearing. He further indicated that Council took steps above and beyond what was required and appeared to have bent over backwards to deal with and clarify the concerns raised by residents. The report confirms that Council did due diligence to process the request to amend the Mount Pearl Municipal Plan and Development Regulations to accommodate a proposal for a 3 - 4 storey 60 unit condominium apartment building at 16 - 24 Glendale Avenue.

It was indicated that following the publication of the amendment in the Newfoundland Gazette and after the notice of registration has been received from the Department of Municipal Affairs; the development proposal would be presented to Council for consideration.

Question called. Motion carried unanimously.

16-01-006

Crown Land - East of 1221 Topsail Road
City of Mount Pearl (Crown Land for municipal use)
Municipal Recommendation Form for Crown Land Application
Commercial - Mixed (CM) and Conservation (CON) Use Zone

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to proceed with an application to Crown Land for the transfer of ownership of land east of 1221 Topsail Road to the City of Mount Pearl for public walkway access purposes.

Question called. Motion carried unanimously.

16-01-007

Winsor Homes
Proposed Ground Sign Location
1027 Topsail Road

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT an application from Winsor Homes to erect a ground/pylon sign in the front yard of property at 1027 Topsail Road provided it is outside of the Newfoundland Power easement be approved.

Discussion: It was noted there is an approximate 19 feet public right of way between the carriageway of Topsail Road and the property's front property line. While the property owner has sufficient green space available at the corner of Marlin Street and Topsail Road to locate the proposed sign, the property owner did not wish to locate the proposed ground sign there as it will be obstructed by other nearby signs including the subdivision gateway sign in the area. It was clarified that sight lines are not impeded and there is no adverse impact to place the sign in this location.

Question called. Motion carried unanimously.

16-01-008 61272 Newfoundland and Labrador Ltd.
Conversion from Residential to Commercial Use, Consolidation of Property, and Associated Site Work
872 Topsail Road

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT an application by 61272 Newfoundland and Labrador Ltd. (Cardinal Homes) for the proposed consolidation of property, conversion from residential to commercial use, and to undertake site work at 872 Topsail Road be approved and a development permit be issued subject to the conditions outlined in the Committee report dated January 6, 2016.

Question called. Motion carried unanimously.

16-01-009 Eastern Newfoundland Regional Appeal Board
Appeal of Council Decision to Refuse a Fence Permit
71 Holden Street

A copy of the appeal decision re Council's Refusal of a Fence Application at 71 Holden Street by the Eastern Newfoundland Regional Appeal Board was presented. The Appeal Board ruled that the decision was not appealable under the Board's jurisdiction thereby confirming Council's decision to refuse the application.

16-01-010 Development Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT the development permits issued for the period of December 14 - 31, 2015 and January 4 – 8, 2016 be approved as presented.

Question called. Motion carried unanimously.

16-01-011 Building Permits

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT building permits issued for the period of December 14 - 31, 2015 and January 4 – 8, 2016, showing total construction values of \$189,800.00 and \$2,556,000.00 respectively, be approved as presented.

Question called. Motion carried unanimously.

CORPORATE & COMMUNITY SERVICES COMMITTEE

16-01-012 Invoices for Approval

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Air-Tite Sheet Metal Ltd. (Indoor Air Quality Upgrades Depot - Progress Claim #1)	\$ 93,116.52
2.	Avalon Coal Salt & Oil (Road Salt)	\$ 37,611.70
3.	Butler's Sand & Stone Co. Ltd. (Pea Stone for Playgrounds)	\$ 6,758.02
4.	Bae-Newplan Group (2013 Street Upgrading – Prof Services Ended Nov 25/15)	\$ 5,116.64
5.	Bae-Newplan Group (Gymnastics Facility – Prof Services Ended Nov 25/15)	\$ 9,071.64
6.	Bae-Newplan Group (Arbitration Services Ended Nov 25/15)	\$ 28,250.00
7.	Bae-Newplan Group (LED Sign for Summit, Services Ended Nov 25/15)	\$ 8,927.00
8.	Bae-Newplan Group (2011 Street Upgrading – Prof Services Ended Nov 25/15)	\$ 5,070.02
9.	Bae-Newplan Group (2012-14 Street Upgrading Prof. Services Ended Nov 25/15)	\$ 7,196.52
10.	CIMCO Refrigeration (Glacier)	\$ 14,600.07

11.	City of St. John's (Robin Hood Bay Landfill Nov/15)	\$ 40,070.53
12.	Electro Mechanical Services (Glacier: Replacement Batteries for Inverter)	\$ 9,819.70
13.	Emberley Electric Limited (Repairs to Wall Lighting Depot)	\$ 7,249.35
14.	Harris Ryan Chartered Accountants (Interim Billing for 2015 Audit)	\$ 14,690.00
15.	Hitech Communications (AVL Tracking Rental Fee Dec/15)	\$ 6,462.02
16.	Kelloway Construction Ltd. (Cleaning Summit Nov/15)	\$ 10,414.06
17.	Kusco Tiling Ltd. (Tile Flooring at Depot Entrances)	\$ 6,610.50
18.	Mobile Service (Repairs on Salt Truck Engine)	\$ 6,215.00
19.	Municipalities Newfoundland & Labrador (2016 Membership Fees)	\$ 16,654.60
20.	Newfoundland Design Associates Limited (Professional Services)	\$ 23,721.30
21.	Onx Enterprise Solutions (Barracuda Energize Updates)	\$ 9,312.28
22.	Royal Door (Supply & Install Glacier Front Doors)	\$ 5,085.00
23.	St. John's Transportation Commission (City's Share of Metrobus Svc for Nov/15)	\$ 36,565.03
24.	Stewart McKelvey (Legal Fees)	\$ 7,288.68
25.	Tract Consulting Inc. (40% of Contract Documents)	\$ 40,640.45
26.	Universal Corporate Wear Inc. (Summit Centre Gym Bags)	\$ 5,517.23
		\$ 462,033.86

Question called. Motion carried unanimously.

16-01-013 Renewal of Line of Credit

Motion – Councillor Ledwell/Councillor Stoyles

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.

16-01-014 Tender Award Recommendation
Supply & Delivery of One (1) Electronic Self-Propelled Scissor Lift

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the supply & delivery of one (1) electronic self-propelled scissor lift to the lowest qualified bidder, Battlefield Equipment, with a bid amount of \$37,879.01 (including HST).

Question called. Motion carried unanimously.

16-01-015 Frosty Festival 2016
1st Installment Operating Grant

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT approval be granted to release the first installment of the Frosty Festival 2016 operating grant, in the amount of \$17,500 (50%), with the remaining to be released at the end of the Frosty Festival.

Question called. Motion carried unanimously.

16-01-016 Admiralty House Communications Museum
1st Installment Operating Grant 2016

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT approval be granted to release the first installment of the 2016 operating grant for Admiralty House Communications Museum in the amount of \$37,500.

Question called. Motion carried unanimously.

16-01-017 Mount Pearl Frosty Festival
February 4 – 14, 2016

For the information of the public, the Frosty Festival is scheduled for February 4 - 14, 2016. The booklet will be distributed with the "GO BAG" with ticket sales

starting January 16th online at www.frostyfestival.ca and at the Glacier box office. Please refer to the Frosty Festival website or contact 748-6480 for additional information.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

16-01-018 Project Updates

Information was provided on various ongoing multiyear capital works projects.

16-01-019 Public Works

It was noted that winter maintenance is ongoing and updates will be provided as conditions warrant. During periods of limited winter maintenance activity, crews are performing minor street maintenance (pothole repairs, signage repairs, etc.) as well as collecting recyclables placed at curbside for the following collection day. Motorists were reminded to practice safe driving practices when sharing the roads with snowclearing equipment.

NEW BUSINESS

16-01-020 Universal Design Workshop

Deputy Mayor Locke advised that the City is holding a Universal Design Workshop on Thursday, January 21, starting at 9:00 AM at the Mount Pearl Soccer Clubhouse. Council is aware that universal design is a relatively new concept in the design of our communities and applies to development, open spaces and infrastructure in both the public realm and private sector. It is an important element of an inclusive community. Council is interested in exploring the concept of universal design and how such elements can be reasonably incorporated into the City's policies, regulations, and standards for buildings, subdivisions, landscaping, infrastructure, and public spaces. Further details are available on the City website or by contacting Christopher Hardy at 748-1106 or by email chardy@mountpearl.ca.

16-01-021 Seniors Independence Group

Deputy Mayor Locke commented on the success of the Seniors Independence Group and extended congratulations to the members.

16-01-022 Congratulations – Cassidy Boone

Councillor Stoyles extended congratulations to resident Cassidy Boone who was recently offered a placement with the Quinte Ballet School of Canada.

16-01-023 Congratulations – Keith Keating Memorial Tournament

Councillor Stoyles extended congratulations to the Keating family for organizing the Keith Keating Memorial Tournament which since its inception has resulted in approximately \$50,000 being raised for the Dr. H. Bliss Murphy Cancer Treatment Centre.

16-01-024 Kinsmen Club of Mount Pearl

Councillor Stoyles advised that the Kinsmen Club will be celebrating their 50th Anniversary on February 20 with an event being held at the Reid Community Centre.

16-01-025 Condolences – Richard Moores

Councillors Stoyles and Walsh extended condolences to the family and friends of Richard Moores noting that Mr. Moores had been a tremendous resident.

16-01-026 Phyllis Toope

Councillor Stoyles commented on the passing of Ms. Toope noting that she had been instrumental with the Frosty Festival for many years. It was suggested that Ms. Toope be recognized for her contribution during the upcoming festival.

16-01-027 Universal Design Workshop

Councillor Walsh noted that the workshop will be an opportunity to raise awareness and share information, not just for Mount Pearl, but also for other municipalities and organizations.

16-01-028 Automatic Door Openers

Councillor Tessier advised that she became aware that some doors don't remain open long enough for people with mobility challenges to enter/exit and encouraged business owners to be cognizant of this and resolve if possible.

16-01-029 Fitness Centre- Summit Centre

Councillor Tessier advised that the Fitness Centre is being very well utilized.

16-01-030 Ray Hanlon – Retirement

Councillor Ledwell extended congratulations to employee Ray Hanlon on his retirement and wished him well.

16-01-031 Reason for the Rink

Mayor Simms extended appreciation to the City's team for participating in the Reason for the Rink (Twin Cities) project which is organized by Todd Churchill and benefits Easter Seals NL; Rainbow Riders; Mazol Shriners and Cerebral Palsy Association NL.

16-01-032 Condolences – T. Alexander Hickman

Mayor Simms extended condolences to Councillor Sandy Hickman (St. John's) and his family on the passing of his father, T. Alexander Hickman. Mr. Hickman's contribution to the province was also recognized.

16-01-033 Frosty Festival - Launch

Mayor Simms advised of the media launch for the Frosty Festival taking place on January 14, 2016, 12:00 noon, at the Reid Community Centre.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:25 pm on a motion by Councillor Stoyles.

Chairperson

Deputy City Clerk