

PUBLIC COUNCIL MEETING MINUTES
July 15, 2014

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 15, 2014 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.

14-07-467 Adoption of Agenda

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

PROCLAMATIONS/PRESENTATIONS

14-07-468 2014 Green Team

Mayor Simms welcomed the 2014 Green Team to the Council Chambers. The project is funded through the Conservation Corps Newfoundland and Labrador (CCNL) and co-sponsored by the City of Mount Pearl. Team Leader, Holly Tracey, highlighted planned activities as well as work been carried out to date. Mayor Simms referenced the City's anti-litter campaign, noting that the team is an important piece in making the community aware and engaged in the process. He suggested that the team make regular reports on their progress to Council.

14-07-469 Adoption of Minutes

Motion – Deputy Mayor Locke /Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on July 2, 2014 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.

CORRESPONDENCE

14-07-470 Letter – Attorney General, Government of Newfoundland & Labrador

A letter was presented from Felix Collins, Attorney General, in response to the Mayor's correspondence regarding the nature of the sentences the courts impose on those who are charged with damage of property, in particular, graffiti. He advised that the imposition of sentence is a matter entirely within the discretion of the Courts. In addition, he noted that longstanding and fundamental principles of judicial independence make it inappropriate for any minister to attempt to influence the Court in the exercise of its discretion regarding sentencing or any other matter.

Mayor Simms noted that it would be incumbent on the City to take someone to court for vandalizing (graffiti) City property in an effort to seek restitution.

He inquired as to when the utility boxes would be painted (mural).

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE REPORT

14-07-471 City Days Celebrations
July 18 - 20, 2014

The public was advised that City Days Celebrations start on Friday, July 18, and run until Sunday, July 20. A schedule of events is available on the City's website. It was noted that the venue for the Seniors Tea scheduled for Friday has been changed from Park Place to the Soccer building.

14-07-472 Family Canoeing Program
Powers Pond

The public was advised that the family canoeing program at Powers Pond takes place every Monday, Wednesday and Thursday (6:00 – 8:00pm) until August 28, weather permitting.

14-07-473 Summer Day Camps

The public was advised that the summer day camps are in place with over 230 children participating on a weekly basis. Parents/caregivers dropping off and picking up children at the Reid Community Centre (Discovery Camp) were reminded to be cautious of pedestrian or vehicular traffic.

CORPORATE SERVICES COMMITTEE

14-07-474 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Bae-Newplan Group (Street Upgrading CP1 period ending Apr 30/14)	\$ 17,377.45
2.	Bae-Newplan Group (2013 Street Upgrading for period ending Apr/14)	\$ 24,224.89
3.	City Tire & Auto Centre (Recap Tires)	\$ 7,728.00
4.	Hitech Communications (Radio/AVL Rental Feb/14)	\$ 6,222.68
5.	Hitech Communications (Radio/AVL Rental Mar/14)	\$ 6,282.52
6.	Mercer (Canada) Limited (Professional Services)	\$ 5,650.00
7.	Mount Pearl Frosty Festival (Frosty Mascots)	\$ 10,000.00
8.	Municipal Assessment Agency (Third Quarter Assessment Fees)	\$ 69,118.00
9.	SME Limited (20' Shipping Container for MEO Storage)	\$ 7,006.00
10.	Spartan Fitness (Fitness Equipment for Multiplex)	\$ 229,497.35

11.	The Telegram (Ads)	\$ 5,251.35
12.	Traffic Logix Inc (School Zone Flashing Signage & Bracket)	\$ 17,599.75
13.	Tucker Electronics Ltd (TV's & Brackets & Wireless Audio – New Fitness Centre)	\$ 24,536.82
14.	Metrobus Transit - St John's Transportation Commission (Services for June/14)	\$ 99,694.69
15.	MVT Canadian Bus Inc - GoBus (Services for 2 nd quarter)	\$ 94,479.81
16.	City of St. John's (Robin Hood Bay Landfill)	\$ 46,664.50
17.	Bae-Newplan Group (Park Place Wall Removal)	\$ 12,678.60
18.	Bae-Newplan Group (Professional Services ending May 28/14)	\$ 42,375.00
	Total	\$ 726,387.41

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

14-07-475 Tender – 2013 Street Upgrading CPI

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the tender for the 2013 Street Upgrading project be awarded to the lowest qualified bidder, Newfound Construction Limited, for the bid amount of \$1,306,874.38 (HST included).

Question called. Motion carried unanimously.

14-07-476 Summer Activity Report

An update on work being undertaken by the Infrastructure & Public Works Department was presented. Activities include – bulk garbage collection, road repairs, street sign replacement/repairs, facility repairs, clean-up of trails/green spaces, and repairs of hydrants and sewer lines.

It was noted that accessibility to sidewalks is taken into consideration when street repairs are under way. Residents were also reminded not to place their garbage cart on the sidewalks as it impedes pedestrians and wheelchair users. It was clarified

that “no parking” stickers are placed on carts to deter drivers from blocking the cart.

14-07-477 Multiplex Update

The following update was provided:

Commissioning is the time during which the facility and its systems are completely checked for satisfactory operation, involving a battery of tests for the full range of design operating conditions. Commissioning is a required element of the LEED Silver certification.

The systems in the multiplex are complex and range from civil, structural, architectural, mechanical, and electrical. Mechanical and electrical are the bulk of the systems, including such things as the geo-exchange system, sprinkler system, domestic hot water, heating/cooling system, air handling, transformers, safety switches, controls/computerization/automation, lighting, fire alarm, intercom, emergency lighting, etc.

The commissioning team involves some 14+ categories, and will involve about 50+ people; including contractors, suppliers, consultants, and manufacturer’s representatives, as well as, specialized testing agencies.

PLANNING AND DEVELOPMENT COMMITTEE

14-07-478 Mount Pearl Municipal Plan 2010 and
Mount Pearl Development Regulations 2010 Amendment
(Lounge Use Amendment)

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the Mount Pearl Municipal Plan 2010 Amendment No. 11, 2014 and the Mount Pearl Development Regulations 2010 Amendment No. 35, 2014 be approved and that the amendments be forwarded to the Department of Municipal and Intergovernmental Affairs for registration.

Discussion: The Mount Pearl Municipal Plan 2010 Amendment No. 11, 2014 consists of the following:

1. remove “Lounge” from the list of permitted uses in the following designation: Regional Centre Designation (Section 6.2.3 (i));
2. create a new subsection 6.2.3 (ii), which would read: “Lounges may be permitted within the Regional Centre designation at the discretion of Council.”; and

3. sequentially renumber the subsequent subsections

The Mount Pearl Development Regulations 2010 Amendment No. 35, 2014 consists of the following:

1. remove “Lounge” from the list of permitted uses in the following use zone:
Commercial – Regional (CR)Zone (11.17.1 Permitted Uses, Commercial, item (r));
2. add “Lounge” to the list of discretionary uses in the following use zone:
Commercial – Regional (CR) Zone (11.17.2 Discretionary Uses, item (b)); and
3. sequentially renumber the subsequent subsections.

Question called. Motion carried unanimously.

14-07-479

Proposed Building Extension
Redwood Construction (on behalf of Baker Hughes)
16 Kyle Avenue

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT an application by Redwood Construction (on behalf of Baker Hughes), to construct a warehouse extension consisting of a gross floor area of 838 m² (9020.16 sq. ft.) to the western portion of the existing building at 16 Kyle Avenue for the purpose of increasing the current onsite storage capacity of hazardous materials be approved and a development permit issued subject to the following conditions:

1. Bell Aliant conditions;
2. Department of Environment and Conservation - Pollution Prevention Division (Waste Management Section) conditions
3. Newfoundland Power conditions;
4. St. John’s Regional Fire Department conditions;
5. City Inspector conditions;
6. Engineering Services Division conditions;
7. Planning Services Division conditions; and,
8. The development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

14-07-480 Consolidation of Property and Storage Yard Expansion
 Redwood Construction
 959 - 963 Topsail Road

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT an application by Redwood Construction to consolidate property at 959 and 963 Topsail Road to establish an outdoor storage yard to the south and east of the existing building at 961 Topsail Road be approved and a development permit issued subject to the following conditions:

1. Bell Aliant conditions;
2. City Inspector conditions;
3. Engineering Services Division conditions;
4. Environment and Conservation conditions;
5. Finance Division conditions;
6. Mapping Services Division conditions;
7. NL Power conditions;
8. Planning Services Division conditions;
9. St. John's Regional Fire Department conditions; and
10. the development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

14-07-481 Request for Increased Fence Height (8 Feet) in Rear Yard
 133 Smallwood Drive

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT an application for an 8-foot high fence, to replace the existing fence, at 133 Smallwood Drive be approved and a permit issued subject to the condition that the fence be placed solely on the property of 133 Smallwood Drive and adhere to the City of Mount Pearl Fence and Retaining Wall Regulations.

Question called. Motion carried unanimously.

14-07-482 Development Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT development permits issued for the period of June 30 – July 11, 2014 be accepted as presented.

Question called. Motion carried unanimously.

14-07-483 Building Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT building permits issued for the period of June 30 – July 11, 2014, showing a total construction value of \$309,000.00, be approved as presented.

Question called. Motion carried unanimously.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

14-07-484 Tely 10 Road Race
Sunday, July 27, 2014

The public was advised to expect possible traffic disruptions as a result of the Tely 10 Road Race taking place on Sunday, July 27.

14-07-485 Holy Sepulchre Mass
Tuesday, July 29, 2014

The public was advised that the Holy Sepulchre annual mass will be held on July 29 at 7:00 pm which will impact traffic in that area.

NEW BUSINESS

14-07-486 Recycling – Batteries

Deputy Mayor Locke advised of recycling containers being provided in stores to return used batteries. To be referred to the Conservation Corp Project Coordinator who is working with the City for follow up.

14-07-487 Condolences – Evan Ash

Members of Council extended condolences to the family of Evan Ash recognizing his significant involvement with the Special Olympics.

14-07-488 Condolences – G. Fred G. Bannister

Members of Council extended condolences to the family of G. Fred G. Bannister, a former City Councillor and paid tribute to him recognizing his contribution to Mount Pearl, the Royal Canadian Legion and overall volunteer contributions.

14-07-489 Sport Fields – Rear of Mount Pearl Intermediate

Councillor Stoyles advised of a complaint of dogs roaming on the above noted fields and asked that signage be erected informing owners that this wasn't permitted.

14-07-490 Damage to Property

Councillor Stoyles advised of vandalism that recently occurred in her neighbourhood (Barbour Drive). Matter referred to municipal enforcement officers for follow up.

14-07-491 Water Conservation

Councillor Stoyles reminded residents of the water conservation policy as follows:

EVEN Civic Numbers

Lawn and garden watering is restricted to the hours between:
6:00 - 8:00 am and 8:00 - 10:00 pm
Wednesdays and Saturdays

ODD Civic Numbers

Lawn and garden watering is restricted to the hours between:
6:00 - 8:00 am and 8:00 - 10:00 pm
Wednesdays and Sundays

14-07-492 Cat Traps

Councillor Walsh spoke of the continued problems with roaming cats and asked that the issue of the use of cat traps be referred to the Infrastructure & Public Works Committee for further consideration and subsequent report to council.

14-07-493 Trails

Councillor Tessier commented on the cleanliness of the trails and commended owners for cleaning up after their dogs. Deputy Mayor Locke suggested more garbage receptacles be placed along the trail from Park Avenue to the Pipers store.

14-07-494 City Days

Councillor Aker reiterated that City Days activities take place this weekend and as we celebrate to remember Mr. Bannister as a founding member of the community.

14-07-495 Knights of Columbus

Councillor Ledwell extended congratulations to the Father John B. Kent Council, Knights of Columbus, for receiving four awards at the recent state convention. Congratulations were also extended to Mike Hussey for being chosen the Best Grand Knight in the province.

ADJOURNMENT

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

Chairperson

Deputy City Clerk