

**PUBLIC COUNCIL MEETING MINUTES
July 2, 2014**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 2, 2014 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Councillor Lucy Stoyles
Councillor Paula Tessier
Councillor Dave Aker
Councillor Andrew Ledwell

STAFF PRESENT

Michele Peach, Chief Administrative Officer
Stephen Jewczyk, Director, Planning & Development ⁽¹⁾
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director, Community Services
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Deputy Mayor Jim Locke
Councillor John Walsh

⁽¹⁾ Arrived when noted.

Mayor Simms chaired the meeting.

14-07-423 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

14-07-424 Adoption of Minutes

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held on June 17, 2014 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

14-07-425 Para Transit
Public Consultation – June 26, 2014

It was noted that the recently held public consultation process regarding the para transit service was informative and provided an opportunity for feedback from the users. A subsequent report by the consultant will be prepared for Council's consideration.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

14-07-426 Royal Bank of Canada Presentation
Waterford River Clean Up Blitz

Karen Squires, Royal Bank of Canada, presented a \$1,000 donation in support of the recent Waterford River Clean Up Blitz. Appreciation was expressed to the Bank for their support of the community.

CORRESPONDENCE

14-07-427 Mount Pearl Seniors Independence Group

A letter from the Mount Pearl Seniors Independence Group to Minister Steve Kent (Municipal & Intergovernmental Affairs) was presented. The Group is aware that an appeal of the development permit issued to Karwood Contracting for the seniors' development on Municipal Avenue has been filed with the Appeal Board and is seeking the Minister's support that the appeal not be delayed. Mayor Simms advised that the appellant has requested the hearing scheduled for July 21st be postponed to a later date. Council is not in favour of delaying the hearing noting that the developer could potentially lose a construction season.

14-07-428 Municipalities Newfoundland & Labrador (MNL)

A letter from MNL to Minister Terry French (Environment & Conservation) was presented. MNL is requesting the Minister's support of the resolution "Increase of Fines for Littering" as submitted by the City at the 2013 convention. The Department is asked to increase the provincial fines for littering and to create regulations to enforce the fines and offences.

New Item

14-07-429 Project Coordinator - Conservation Corp Newfoundland & Labrador (CCNL)

Council has entered into a partnership with the Conservation Corp to work on the City's anti-litter project. A project coordinator has been hired to develop a strategy to engage the corporate community to take ownership of their property and ensure they are free of litter.

14-07-430 Decision of Appeal by the Eastern Newfoundland Regional Appeal Board

The decision of the appeal filed by Dennis Pynn regarding Council's decision to refuse his application to construct a single dwelling at 28 Mount Carson Avenue was presented. Based on the information provided, the Board ordered that Council's decision be confirmed.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE REPORT

14-07-431 Arena Board of Management
3rd Installment Operating Subsidy 2014

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT approval be granted to release the 3rd installment of the Arena Board of Management operating subsidy for 2014 in the amount of \$40,000.00.

Question called. Motion carried unanimously.

14-07-432 Bus Services
Summer Program 2014

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT approval be granted to award the summer program bus services tender to the lowest qualified bidder, Executive Transportation Ltd., in the amount of \$33,333.87 (HST included).

Question called. Motion carried unanimously.

14-07-433 City Days Celebrations

The 26th annual Mount Pearl City Days will be held July 18 – 20, 2014. Further details are available on the City's website.

14-07-434 Summer Day Camps 2014 Update

Summer day camps commence on July 7 and run until August 29. Parents/ caregivers of children attending camp located at the Reid Community Centre were asked to be cautious due to the ongoing construction of the new facility.

14-07-435 New Facility Update

The job recruitment fair was a huge success last week – well over 150 candidates dropped off resumes; the aquatics equipment is arriving daily; the fitness equipment has arrived and the furniture will be arriving within a few weeks.

CORPORATE SERVICES COMMITTEE

14-07-436 Uncollectible Accounts
Tax Write Off

Motion – Councillor Aker/Councillor Tessier

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

Account No.	Principal	Interest	Other	Total
9491	\$1,044.63	\$76.77		\$1,121.40
7928	\$1,468.00	\$137.40	\$147.00	\$1,752.40

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

Question called. Motion carried unanimously.

The Director of Planning & Development joined the meeting at 4:45 pm.

14-07-437 Year-To-Date Cash Based Financials

Council was advised that current projections to year-end indicate that the City may be over budget on snow clearing expenses by approximately \$300,000, depending on weather patterns in the late fall of 2014. However, growth in residential and commercial taxes indicates that revenue increases over budget will be available to offset these costs. Therefore, at this point, the City anticipates balanced finances by year-end.

14-07-438 2014 Capital Works Update

Council was provided with an update on 2014 year-to date capital expenditures. At this point, the City has expended \$5.8 million on capital projects, \$4.25 million of which relates to the Reid Centre upgrades and Multiplex construction. As most of the City's capital expenditures come during the summer and fall months, it is still too early to provide significant updates on spending relative to budget. In addition to the above spending, the City has approximately \$43.7 million in approved capital works projects ongoing which include:

- Multiplex/Reid Centre (balance of project) \$3.5 million.
- Multi-year capital works projects from 2013 and prior \$14.7 million. (includes various streets upgrades and various recreation/infrastructure projects such as Campia Gymnastics, construction of a new minor baseball field, development of a passive park at St. David's and upgrades to the Team Gushue Sports Complex.
- 2014-2016 multi-year capital works projects totaling just over \$20 million, which will include further investment in streets and other municipal infrastructure.
- \$5.5 million in various other projects and equipment/facility upgrades.

14-07-439 PSAB Financial Statements
Year Ended December 31, 2013

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the PSAB Financial Statements year ending December 31, 2013 be approved.

Discussion: The key items noted were as follows:

- Net debt of just over \$37 million – Net debt has increased by \$14.7 million despite a surplus of \$4.169 million due to significant capital spending on the City's new \$35 million multiplex. Net Debt describes the City's future revenue requirements to cover its existing financial liabilities.
- Accumulated Surplus of just under \$96.1 million – which represents a complete picture of the City's net economic resources that shows its ability to provide future services to the Public.
- Annual surplus of just under \$4.2 million – while this does not represent a cash surplus available for spending, it does show that the City is investing in capital assets without having to use debt financing. While the City is borrowing to construct the Multiplex, we pride ourselves on being able to continue to invest in many other capital assets without having to use debt financing.

- Overall results are better than budget due mainly to timing of borrowing of funds required for the Multiplex construction, which resulted in savings on interest on long-term debt. These savings have allowed us to minimize borrowing in 2013.

Question called. Motion carried unanimously.

14-07-440 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Bae-Newplan Group (Street upgrading period ending Apr 30/14)	\$ 12,405.99
2.	Century 2K (Voice/Data cabling system for Multiplex)	\$ 47,446.04
3.	City of St John's (Robin Hood Bay landfill usage-report dated May 31/14)	\$ 57,597.20
4.	City of St John's (Water Consumption May/14)	\$ 415,544.33
5.	Lighting & Traffic Systems Ltd (Traffic Signal Maintenance May/14)	\$ 10,408.47
6.	Kelloway Construction Ltd (Cleaning May/14)	\$ 18,456.63
7.	Metrobus Transit (Service Cost May/14)	\$ 101,267.44
8.	Modern Paving Limited (Progress Claim No. 1 Street Upgrading)	\$ 229,595.99
9.	Marco Services Ltd (Progress Payment No. 25 May/14)	\$ 455,844.59
10.	Newfoundland Design Associates Limited (Professional Services Sept 10/13-Apr 18/14)	\$ 20,692.80
11.	Onx Enterprise Solutions (HP Compaq 6305 Desktop Computers)	\$ 5,816.79
12.	Pacific Tier Solutions Incorporated (Schedule/Registration Module Fees Apr 1/14-Mar 31/15)	\$ 7,050.93
13.	Prime Time Paving (Site Work Associated With 18 Thomey Place)	\$ 7,627.50

14.	Provincial Fence Products Limited (Team Gushue Backstop Extensions as Requested)	\$ 10,198.25
15.	Pennecon Energy Hydraulic System (Admiralty Wood Lift Station Upgrade)	\$ 31,078.80
16.	City of St. John's Regional Fire Department (Budgeted amount for July)	\$ 358,925.08
		\$ 1,789,956.83

Question called. Motion carried unanimously.

14-07-441 Municipalities Newfoundland and Labrador

Council was advised of the following:

- a. James Hiscock Memorial Scholarship – application deadline August 15, 2014. Applicants must be the child or ward of any municipal council member or any municipal employee from a member municipality upon high school graduation.
- b. MNL Resolutions Deadline – deadline for receipt of all resolutions for consideration at the 2014 MNL Resolutions Session is August 11, 2014.
- c. MNL Board Nominations – Members are invited to nominate individuals for positions on the MNL Board of Directors. The positions for which nominations are being accepted – Avalon, Central, Eastern, Labrador, Northern and Western. Deadline for nominations September 10, 2014.

14-07-442 Municipal Assessment Agency
Clar Simmons Scholarship Award

Information was presented by the Municipal Assessment Agency on the eligibility criteria for the Clar Simmons Scholarship Award. It was also recommended that staff be made aware of this scholarship through email and by placing brochures in the various City lunchrooms

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

14-07-443 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 residents are availing of the bulk garbage collection (by appointment) and the new format is working well.

Reference was also made to the unveiling of the new water fountain in the lower pond at Powers Pond Park.

14-07-444 Multiplex Status

Council was advised that the Multiplex is approximately 98% financially complete and commissioning of facility elements as well as training is ongoing.

14-07-445 Tender – 2012 Street Upgrading CP2 (TP-14-012, DMA# 12173)

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the tender for the 2012 Street Upgrading project be awarded to the lowest qualified bidder, Fairview Investments Ltd. for the bid amount of \$383,872.30 (HST included).

Question called. Motion carried unanimously.

PLANNING AND DEVELOPMENT COMMITTEE

14-07-446 Accessory Building and Flanking Street Side Yard
23 Castors Drive

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT an application for the construction of a new 16 x 16' (23.78 m²) accessory building in the flanking street side yard of the property at 23 Castor's Drive be refused for the following reasons:

1. the proposed location of the accessory building is contrary to Regulation 6.2.2 (b) of the Mount Pearl Development Regulations; and
2. pursuant to Regulation 4.5, Discretionary Powers, the development of the accessory building in this location will create safety and convenience concerns to vehicular traffic and will hamper municipal snow clearing operations at this corner. Furthermore, the applicant will need to access the garage and it is likely that in future that a driveway will be required to the garage. The potential of a driveway next to the street corner would not be acceptable and sight lines in relation to use of such a driveway would not be acceptable.

Discussion: Mayor Simms spoke against the motion on the basis that the sightlines are acceptable and the proposed building wouldn't protrude past the current building line of the house. There is an existing Canada Post box in the snow clearing area. Councillor Stoyles questioned if a smaller building would be

considered and accepted. It was noted that a smaller building (moved further back) had been suggested to the applicant.

Question called. Motion carried with Mayor Simms and Councillor Stoyles voting against the motion.

14-07-447 Application for New Building (Second Building on Lot)
Tempo Construction Management Inc. (on behalf of SSB Developments Inc.)
161 Glencoe Drive

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT an application by Tempo Construction Management Inc., on behalf of the property owner SSB Developments Inc., to develop an approximate 149 m² new building (second building) in the rear yard of the lot and complete associated site work at 161 Glencoe Drive for a proposed Light Industry (Warehouse) Use be approved and a development permit issued subject to the following conditions:

1. St. John's Regional Fire Department's conditions;
2. Inspection Services Division's conditions;
3. Planning and Development Department's conditions; and,
4. A detailed Landscape Plan, completed Landscape Cost Estimate Form and refundable Landscaping Security fee to be submitted for review and approval by the City prior to any building permits being issued.
5. Revised site plan illustrating the detailed information requested by Engineering Services Division for their review and approval prior to the issuance of a Building Permit:
6. A Development Agreement for "Two Buildings on One Lot" is required to be signed.
7. The exterior facade (siding) of the second building on the lot shall match or be complimentary to the exterior facade (siding) of the existing principal building on the lot.
8. The development meeting the Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

14-07-448 Retirement of the Manager of Economic Development & Business Liaison
Bronda Aylward

Congratulations were extended to Bronda Aylward, Manager of Economic Development & Business Liaison, on her retirement following 31+ years of service with the City. Ms. Aylward's contributions to the City were recognized with much appreciation.

14-07-449 Expropriation of Property
 30A Forest Avenue

The City wishes to acquire the land at 30A Forest Avenue as part of an ongoing effort to assemble land for open space purposes in the area of Forest Avenue adjacent to the Waterford River. The City has had the subject property appraised and has made two offers to purchase the land. The property owner has not agreed to the purchase price.

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT approval be granted to expropriate the property at 30A Forest Avenue AND FURTHER THAT the purchase value of the property be determined through an assessment board as established under the Urban and Rural Planning Act.

Discussion: The City’s solicitor will be requested to contact the Minister of Municipal and Intergovernmental Affairs and commence the expropriation process.

Question called. Motion carried unanimously.

14-07-450 Development Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT development permits issued for the period of June 16 - 27, 2014 be accepted as presented.

Question called. Motion carried unanimously.

14-07-451 Building Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT building permits issued for the period of June 16 - 27, 2014, showing a total construction value of \$955,500.00 , be approved as presented.

Question called. Motion carried unanimously.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

14-07-452 Note to Motorists
 Caution City Parks & Facilities

A reminder to motorists; children are out of school and will be using our streets and parks, please be mindful of the exits surrounding the City parks and facilities.

14-07-453 Flashing Speed Radar Signs

The City has received six new flashing radar signs which will be installed in areas throughout the City within the coming weeks.

14-07-454 Park Patrol

Park Patrol is in place and will be monitoring the trails, parks and facilities throughout the summer months. If residents witness any incidents or have any concerns, please contact the City at 748-1000.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

14-07-455 Regional Water Services Committee

The most recent report shows that the water level for Bay Bulls Big Pond is dropping and residents are reminded of the importance of conservation.

The Water Conservation Order is in effect on a permanent year-round basis. Watering times are restricted to the hours of 6:00 am to 8:00 am and 8:00 pm to 10:00 pm two days per week with even numbered houses assigned to Wednesday and Saturday and odd numbers to Wednesday and Sunday.

14-07-456 Outdoor Wood Burning Appliances

Residents were reminded to keep safety in mind when using outdoor wood burning appliances. Such appliances are to be installed in accordance with the manufacturer's instructions, only dry seasoned firewood is to be burned and when wind speeds are not in excess of 25 km per hour. A copy of the Open Air Regulations is available on the City's website. Residents were also encouraged to be mindful of their neighbours when using fire pits.

14-07-457 Regional Fire - Fire Fighters Agreement

Council was advised that a new collective agreement has been signed with the fire fighters.

NEW BUSINESS

14-07-458 Condolences – Phil Field

Condolences were extended to the family and friends of Phil Field, who was a long-time volunteer with the Lions Club and contributor to the City.

14-07-459 Condolences – Ann Edison

Councillor Stoyles extended condolences were extended to the family and friends of Ann Edison, a resident of Mount Pearl.

14-07-460 Cats

Councillor Tessier reminded residents that cats are not permitted to roam freely. She also reminded drivers not to leave their pet in a vehicle during the hot weather.

14-07-461 Marlins

Councillor Tessier advised that the Marlins, as a result of the new recreational facility, will be hosting the short course championships, a first for Newfoundland & Labrador.

14-07-462 Mount Pearl Sport Alliance

Councillor Aker extended congratulations to the Mount Pearl Sport Alliance (Mike Bugden and Gerry Rice) for a successful year.

14-07-463 Block Party – Ericksson Street

Councillor Aker extended appreciation to the municipal enforcement division, in particular Constable Danielle Greavette, who took time to drop by a block party (Ericksson Street) on Canada Day and meet with the neighbourhood children.

14-07-464 Street Work

Councillor Ledwell advised that surface course asphalt will be placed on Saturday, July 5, 2014; weather permitting, in the area of Sagona Avenue. Traffic will be detoured; local traffic access will be maintained.

14-07-465 Big City Step Out (Community Walk)

Mayor Simms commented on the community walk, noting that it was a great event that should be launched annually at the beginning of Recreation month (June). He also noted that the fountain was a wonderful addition to the Powers Pond Park.

14-07-466 Canada Day Festivities

Mayor Simms spoke of the success of the City's Canada Day festivities as well as the Beaumont Hamel Ceremonies organized by the Royal Canadian Legion.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:40 pm on a motion by Councillor Ledwell and seconded by Councillor Stoyles.

Chairperson

Deputy City Clerk