



PUBLIC COUNCIL MEETING MINUTES
July 28, 2015

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 28, 2015 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor John Walsh
Councillor Paula Tessier ⁽¹⁾
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

⁽¹⁾ Arrived when noted.

Mayor Simms chaired the meeting.

15-07-478 Adoption of Agenda

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

15-07-479 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held on July 14, 2015 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING/ACTION REPORT

No business arose from the previous meeting. The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE

15-07-480 Arts in the Park Series - Centennial Square

For the information of the public, the Arts in the Park Series will take place on August 10, 17, and 24 at 7:00 pm in Centennial Park, adjacent to City Hall. The series is coordinated by the Association for the Arts in Mount Pearl (AAMP) in partnership with the Community Services Department. For more information please visit www.aamp.ca.

CORPORATE SERVICES COMMITTEE

15-07-481 Uncollectible Account

Motion – Councillor Aker/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	Total
9897	\$767.58	\$40.31	\$807.89

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

Question called. Motion carried unanimously.

15-07-482 Tax Deferrals – Low Income Earners

Motion: Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to defer taxes (as specified) for the following accounts in accordance with Council's policy for low income earners:

Account #	Amount Deferred
327	\$691.80
7229	\$1,212.12
370	\$1,442.26
12600	\$1,406.74
6456	\$1,096.38
14845	\$2,592.22

Question called. Motion carried unanimously.

15-07-483 Invoices for Approval

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Bae-Newplan Group (Professional Services Gymnastics Facility)	\$ 6,667.00
2.	DEL Equipment (UTM Bumper Crane)	\$ 9,576.75
3.	Maritime Tennis Court Builders (Work at St. David's Tennis Court)	\$ 52,771.00
4.	Maritime Tennis Court Builders (Work at St. David's Tennis Court)	\$ 8,475.00
5.	Modern Paving Limited (Progress Pmt 2 CP1 Street Upgrading)	\$ 150,945.07
6.	Modern Paving Limited (Progress Pmt 2 CP4 Street Upgrading)	\$ 819,953.67
7.	Modern Paving Limited (Progress Pmt 1 CP4 Street Upgrading)	\$ 167,329.91
8.	Newfound Construction (Progress Pmt 5 CP1)	\$ 110,709.07
9.	Saunders Equipment Limited (Boom Hose)	\$ 5,187.04
10.	Stanley Flowers Limited (Install & Maintain Hanging Baskets & Planters)	\$ 28,212.58
11.	Tract Consulting Inc. (St David's Park Redevelopment Plan)	\$ 5,997.48
12.	Tract Consulting Inc. (St David's Park Design & Contract)	\$ 11,768.95
13.	Weir's Construction Ltd (Progress Pmt 1 CP3)	\$ 140,281.68

14.	Modern Paving Limited (Progress Pmt 2 TP-15-004)	\$ 64,734.59
15.	Electronic Centre (Exterior Video Surveillance)	\$ 14,185.64
16.	City of St. John's (Water Consumption for June)	\$ 363,749.21
	Total	\$1,960,544.64

Question called. Motion carried unanimously.

Councillor Tessier arrived at 4:20 pm.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

15-07-484 Change Order - Indoor Air Quality Upgrades - H. Neil Windsor Municipal Building

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the following change order related to indoor air quality upgrades for the H. Neil Windsor Municipal Building be approved:

Title	Details	Amount (HST Included)
RCO#01	Re-Tender: Alter drawings and specifications to reflect revise scope of work; the revision in scope will require modifications to the drawings for all three disciplines (i.e. mechanical, electrical, and structural) and will require administrative support to carry out the specification changes.	\$3,500.00
	Total (HST Included)	\$3,500.00

Question called. Motion carried unanimously.

15-07-485 Change Order – 2011 Street Upgrading CP4 (Third Street and Wilcox Place)

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the following change order for the 2011 Street Upgrading CP4 (Third Street and Wilcox Place) project be approved:

Title	Details	Amount (HST Included)
RCO#01R	To revise the tender documents for CP4 after approval submission. Changes include the removal of Old Placentia Road and addition of sewer upgrading to Wilcox Place.	\$10,509.00
Total (HST Included)		\$10,509.00

Question called. Motion carried unanimously.

15-07-486 Multi-Material Stewardship Board (MMSB) – Solid Waste Management Innovation Fund and the Community Waste Diversion Fund

For the information of the public, the City is the recipient of the MMSB's Solid Waste Management Innovation Fund and the Community Waste Diversion Fund, in the value of \$10,000 each. Appreciation is extended to the Province and MMSB for this funding.

The MMSB's Solid Waste Management Innovation Fund was awarded based on the City's proposal to implement a textile collection and recycling program for the residents of Mount Pearl which would result in approximately 170 tonnes of reusable textiles removed from the landfill annually.

The Community Waste Diversion Fund was awarded based on the City's proposal to review the current automated garbage collection and determine how the diversion rate can be improved. Our rate has decreased from a yearly average of 15.5% to 9.55%.

The City will also contribute funding and in-kind support to deliver each of these initiatives.

The importance of educating residents on items that should not be placed in the carts for the safety of the public and the operators was reiterated. Reference was made to an incident of a propane tank being placed in a garbage cart and the outcome it could have caused had it not been discovered.

15-07-487 Project Updates

Information was provided on various ongoing projects such as street upgrading and maintenance; bulk garbage collection, parks and playfields; water and sewer; and fleet maintenance. It was noted that the line painting project has been delayed due to weather.

PLANNING AND DEVELOPMENT COMMITTEE

15-07-488 Non-Compliance with City Requirements – Reefer Repair
172-180 Glencoe Drive

Council was advised that the property owner has not complied with the Order issued to complete outstanding work by a specified date.

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT approval be granted to proceed with the tendering process to complete the outstanding work at 172-180 Glencoe Drive, with all associated costs being charged to the property owner in accordance with the Order issued, and to advise the property owner of the same.

Discussion: It was confirmed that efforts have been made to contact the property owner. The owner will be informed of this action prior to beginning.

Question called. Motion carried unanimously.

15-07-489 Identification of Major Themes – Regarding Redesignation and Rezoning
Proposed Mount Pearl Municipal Plan 2010 and
Mount Pearl Development Regulations 2010 Amendment
16-24 Glendale Avenue

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT, as part of the process for the proposed amendments to accommodate a development for 16 – 24 Glendale Avenue, approval be granted for further analysis and information with regard to four of the major concerns raised by the public at the briefing session:

1. Building Height, Size Re: Loss of Privacy and Impact on Neighbouring Properties: to engage an independent professional to undertake an elevation review and prepare drawings to determine exact levels and viewsapes between the building height of the proposed building, neighbouring properties on Glendale Avenue, the tree line, and properties on Blade Crescent and Castors Drive; also to measure distance between the proposed building and houses along Blade Crescent and Castors Drive.
2. Market Values: to engage an independent professional appraiser to undertake an evaluation of projected impacts of the development on property values for the Glendale Avenue properties, as well as properties on Castors Drive and Blade Crescent (i.e. not individual evaluations but generally in terms of the entire streets); it is further suggested that a real estate agent also be consulted to coordinate with the appraiser in relation to re-sale values.

3. Traffic Study: to refer to the Director of Infrastructure and Public Works (IPW) to ensure that the matter of the four surrounding intersections for the proposed development are commented on as part of the traffic study currently being undertaken by the City; for the Director of IPW to also indicate an anticipated completion date for the traffic study.
4. Servicing (Water and Sewer) and Storm Water Management: to refer to the Director of IPW to review the servicing and storm water management information provided by the proponent and within the LUA and provide commentary in response to the concerns raised at the briefing session by the public.

Discussion: Clarification on the timeline with respect to the traffic study was provided along with further information on the servicing and storm water management concern. Reference was made to a request from some residents for another briefing session and it was noted that this was not necessary as a public hearing will be held (which would allow residents an opportunity to make a presentation to an independent Commissioner). It was also indicated that the process for all development applications includes input from the Engineering Division (thereby allowing Council the opportunity to make an informed decision). Information garnered for items 1 – 4 will be made available to the public.

Question called. Motion carried unanimously.

15-07-490 Condition of Corner Lot
Brookfield Road and Commonwealth Avenue

Council was advised that the property owner and the City of St. John's have been contacted regarding improving the appearance of the lot and preventing further access until the site is developed. It was noted that the property owner has placed rock barriers around the perimeter of the lot and arranged to have the tree/brush debris removed.

15-07-491 Development Permit

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT development permits issued for the period of July 14 - 24, 2015, be approved as presented.

Question called. Motion carried unanimously.

15-07-492 Building Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT building permits issued for the period of July 13 - 24, 2015, showing a total construction value of \$1,117,100.00, be approved as presented.

Question called. Motion carried unanimously.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

15-07-493 Declaration for the Right to a Healthy Environment

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT Council support the principle of the right to a healthy environment and approve the following declaration:

WHEREAS the City of Mount Pearl has a responsibility for the health and well-being of its citizens;

WHEREAS the City of Mount Pearl understands that people are part of the environment and that a healthy environment is inextricably linked to the well-being of our community;

WHEREAS the principle of the right to a healthy environment is consistent with City Council's Strategic Initiatives as outlined in the City's Strategic Plan;

WHEREAS the City of Mount Pearl has taken many actions and measures to promote and increasingly aspire to a healthy environment to its citizens and the general public; and

WHEREAS the City of Mount Pearl supports the other 57 municipalities across Canada that have made declarations recognizing the right to a healthy environment;

THEREFORE, BE IT RESOLVED that the City Council of Mount Pearl declare on this, the 28th day of July, 2015, that the City of Mount Pearl supports the principle of enshrining the Right to a Healthy Environment in the Charter of Rights and Freedoms and will forward a request to the Prime Minister of Canada that the right of all citizens to live in a healthy environment be established in appropriate legislation and the Canadian Charter of Rights and Freedoms.

Discussion: The efforts of the Mount Pearl Senior High Environment Club in pursuing this declaration were acknowledged with appreciation. It was requested that the Club be advised of the resolution.

Question called. Motion carried unanimously.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

No report presented.

NEW BUSINESS

15-07-494 City Days

Members of Council extended congratulations and appreciation to the City Days Committee and City staff noting that, despite the weather, the events were well attended by the public.

15-07-495 Canada Post

In response to Deputy Mayor Locke, the process undertaken by Canada Post for the installation of community mailboxes was outlined. It was reiterated that the process is a federal authority which supersedes the City's authority. Complaints received from residents have been referred to Canada Post and in some instances; Canada Post changed the initial (proposed) location.

15-07-496 Parking – Cul de Sacs

Deputy Mayor Locke advised of an inquiry regarding parking in cul de sacs. It was noted that parking in the centre of a cul de sac or perpendicular to the curb is an offence under the City's traffic regulations.

15-07-497 Garbage Carts – City of St. John's

Councillor Stoyles advised that officials with the City of St. John who had observed a demonstration of Mount Pearl's garbage collection (carts) extended appreciation to staff.

15-07-498 Crime Report – City of St. John's

Councillor Stoyles advised of a suggestion by Councillor Puddester (City of St. John's) for Mount Pearl Council to review their recent crime prevention report which is available on their website. Referred to Transportation & Public Safety Committee for follow up.

15-07-499 Condolences

Councillor Stoyles extended sympathy to the families and friends of Colleen Balsom and Frank Rose. Mr. Rose's involvement with the Forest and Garden Society was acknowledged.

15-07-500 Crosswalk Signals

Councillor Walsh commented on a pedestrian crossing signalization which he believes would allow for a more efficient flow of traffic. Referred to Infrastructure & Public Works for follow up.

15-07-501 Condolences

Councillor Tessier extended sympathy to Director Collins and his family on the passing of his father-in-law.

15-07-502 Tely 10

Councillor Ledwell extended appreciation to the Economic Development Officer, Steve Butler, and other staff who assisted with the Tely 10 race during the Mount Pearl portion of the event.

ADJOURNMENT

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

Chairperson

Deputy City Clerk