



**PUBLIC COUNCIL MEETING MINUTES  
July 29, 2014**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 29, 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.**

14-07-496     Adoption of Agenda

Motion – Councillor Stoyles /Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

14-07-497     Adoption of Minutes

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the minutes of the public meeting held on July 15, 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.

## PROCLAMATIONS/PRESENTATIONS

### 14-07-498 Unveiling Name & Logo – Recreation Facility

City Council unveiled the name and brand for the new state-of-the-art recreation facility which will now be referred to as the ‘Mount Pearl Summit Centre’.

Information was provided on the building, the naming process, and logo design.

The official opening ceremony for the Mount Pearl Summit Centre is scheduled to take place on September 2 while the opening weekend celebrations and activities will take place September 6 - 7. Please watch for more details on the City website, in print publications and through local media.

## CORRESPONDENCE

### 14-07-499 Business Association Newfoundland & Labrador

A copy of a letter from the Business Association NL to the Premier was presented. The letter states that the business community is losing opportunities/contracts in the oil and gas industry to out of province companies and is seeking Government’s support to stop this action. It was suggested that the letter be copied to the Mount Pearl-Paradise Chamber of Commerce.

### 14-07-500 Whiteley Drive Housing Co-operative

A letter was presented from the Whiteley Drive Housing Co-operative regarding the “You Hold the Key” Fix the Co-op Housing Crunch campaign. The Co-operative has endorsed the Co-operative Housing Federation resolution to create a provincial rent assistance program (rent-g geared-to-income) for those co-ops whose federal operating agreements are ending. A similar letter was also presented from the Kilbride Co-operative Housing Society.

#### Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT approval be granted to write a letter supporting the efforts of the co-operative housing organizations that are seeking the creation of a provincial rent assistance program for those co-ops whose federal operating agreements are ending.

Discussion: It was noted that affordable housing is an important issue in the City and the region. It was agreed that the City’s letter would be copied to

Municipalities Newfoundland & Labrador and the Urban Municipalities  
Committee.

Question called. Motion carried unanimously.

## COMMITTEE REPORTS

### COMMUNITY SERVICES COMMITTEE REPORT

#### 14-07-501 Arts in the Park - Centennial Park

The Arts in the Park Series takes place August 4, 11 and 18 at 7:00 pm in Centennial Park, next to City Hall - Gazebo area. The Arts in the Park 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](http://www.aamp.ca). (Link to be placed on City's website)

#### 14-07-502 Tender – Outdoor Tennis Court Improvements

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT the tender for outdoor court improvements be awarded to the lowest, qualified bidder, Maritime Tennis, in the amount of \$162,381.00 (HST included).

Question called. Motion carried unanimously.

### CORPORATE SERVICES COMMITTEE

#### 14-07-503 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	City of St John's (Water Consumption for June 2014)	\$ 402,068.15
2.	Xylem Canada Company (Parts & Labour for Engineering)	\$ 5,943.89
3.	Marco Services Ltd (Mount Pearl Summit Centre Progress Payment # 26)	\$ 393,626.77
4.	Tucker Electronics (Wireless Audio Transmitters/Receivers for Mount Pearl Summit Centre)	\$ 10,484.14

5.	Kelloway Construction Ltd (Cleaning various facilities June/14)	\$ 18,456.63
6.	Stanley Flowers Limited (Planting, Maintenance of Hanging Baskets & Planters - first payment)	\$ 28,212.59
7.	Harris Ryan Chartered Accountants (Professional Services - Financial Statements)	\$ 18,645.00
8.	Gaze Seed Co 1987 Limited (Ornamental Nursery Stock, Trees, Shrubs)	\$ 15,298.39
9.	City of St John's (Usage of Robin Hood Bay Landfill June/14)	\$ 46,664.50
10.	Bae-Newplan Group (Street Upgrading Prof Services ended May 28/14)	\$ 12,604.92
11.	Bae-Newplan Group (Pearlgate Rec Centre Additional Work ended May 28/14)	\$ 62,775.83
12.	Atlantic Safety Centre (Bully Free Workshops)	\$ 5,650.00
13.	RICOH Canada Inc. (Civic File Scanning Project (progress payment))	\$ 9,244.28
14.	Eastern Siding Systems Inc. (Siding & Windows Watch House – Track & Field)	\$ 5,548.38
15.	OnX Enterprise Solutions (Computer Equipment)	\$ 6,850.52
	Total	\$ 1,042,073.99

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

14-07-504 Mount Pearl Summit Centre Update

The Mount Pearl Summit Centre is 99% financially complete as of the end of June 2014; substantial completion was awarded to Marco by BAE-Newplan and the City on July 18, 2014. The commissioning of the main building systems is completed satisfactorily and working toward final completion. The efforts of the Assistant Manager of Engineering Services (Darryl Drover) as well as the consultant (BAE-Newplan), contractor (Marco) and subsidiary contractors in bringing this project to fruition were recognized.

14-07-505 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, parks/playground maintenance and repairs of hydrants and sewer lines.

Playground equipment scheduled to be replaced in mid-August are as follows:  
Babb Crescent - structure and swings, Forsey Place - structure and swings,  
Champlain Crescent – structure, Graham Place – structure, Brett Place - structure and swings, and Farrell Drive - swings.

#### PLANNING AND DEVELOPMENT COMMITTEE

14-07-506     Variance (Accessory Building)  
13 Princeton Crescent

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT a development application to construct an accessory building in the rear yard of the property at 13 Princeton Crescent for the purpose of a residential storage shed with a floor area of 33.45 m<sup>2</sup> (360 square feet) and a building height of 3.84 metres be approved subject to the City Inspector's conditions and the development meeting the City of Mount Pearl Development Regulations 2010 and the City of Mount Pearl Building Regulations.

14-07-507     Notice of Motion  
Amendment – Mount Pearl Development Regulations 2010

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 and in accordance with Council's public notification policy, he will, at a regular meeting of Council, move an amendment to the Land Use Zoning Map of the Mount Pearl Development Regulations 2010 that, if enacted, will:

1. Amend Map 1 – Land Use Zoning Map, as follows:

Rezone an approximately 5,722 m<sup>2</sup> portion of land at 43 Greenwood Cr from Residential – Medium Density (RMD) to Commercial – General (CG).

The purpose of this amendment is to provide Council with the authority to consider an application for the future redevelopment of 43 – 53 Greenwood Crescent into a combined hotel and residential condominium apartment complex.

14-07-508     Development Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT development permits issued for the period of July 15 - 25, 2014 be accepted as presented.

Question called. Motion carried unanimously.

14-07-509     Building Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT building permits issued for the period of July 15 - 25, 2014, showing a total construction value of \$6,296,050.00, be approved as presented.

Question called. Motion carried unanimously.

14-07-510     Proposed Mount Pearl Municipal Plan 2010 Amendment No. 12, 2014 and  
Mount Pearl Development Regulations 2010 Amendment No. 37, 2014  
(Pollux Drive Amendment)

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the Mount Pearl Municipal Plan 2010 Amendment No. 12, 2014 and the Mount Pearl Development Regulations 2010 Amendment No. 37, 2014 (Pollux Drive Amendment) be adopted AND FURTHER THAT Gerard Lewis be appointed Commissioner for the Public Hearing scheduled for August 19, 2014 at Mount Pearl City Hall.

Question called. Motion carried unanimously.

14-07-511     Proposed Mount Pearl Municipal Plan 2010 Amendment No. 13, 2014 and  
Mount Pearl Development Regulations 2010 Amendment No. 38, 2014  
(9 Sagona Avenue Amendment)

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT Mount Pearl Municipal Plan 2010 Amendment No. 13, 2014 and Development Regulation 2010 Amendment No. 38, 2014 (9 Sagona Avenue Amendment) be adopted AND FURTHER THAT Cliff Johnston be appointed as Commissioner for the Public Hearing scheduled for August 18, 2014 at Mount Pearl City Hall.

Question called. Motion carried unanimously.

14-07-512 Decision of Appeal by the Eastern Newfoundland Regional Appeal Board  
Concerned Citizens and Businesses of Mount Pearl  
33 – 39 Municipal Avenue – Apartment Building

The public was advised based on its findings, the Appeal Board determined that Council had the authority to conditionally approve an application to consolidate property, develop two apartment buildings for seniors, and undertake associated site development at 33 – 39 Municipal Avenue. Mayor Simms noted that the Appeal Board process confirmed that the City's processes work under the City Act.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

14-07-513 Anti-Litter Campaign

The public was advised that Council is taking a strong approach to address the issue of litter in our community. Initiatives are underway to educate residents and business owners to increase litter awareness and encourage the disposal of garbage responsibly. As we move forward with our clean city strategy, penalties and enforcement will be increased.

Council was advised that the painting of the utility boxes is anticipated to start within the next couple of weeks.

14-07-514 Water Levels – Bay Bulls Big Pond

The most recent report shows that the water level at Bay Bulls Big Pond is steadily dropping as a result of the recent dry weather. Residents are reminded to follow the year-round water conservation order and that the costs associated with water use are impacted by the amount of water used.

Deputy Mayor Locke suggested that the time has come to go beyond educational campaigns with respect to water conservation efforts and consider other measures such as water meters, water barrels, etc. He requested that it be further investigated by the Committee.

14-07-515 Fire Ban

The public was advised that the City has lifted the fire ban that was extended to include fires in any outdoor wood burning appliances. Residents were asked to keep in mind the safety of their family, property and neighbours, and use extreme caution when having fires in outdoor wood burning appliances.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

14-07-516     Resident Awareness  
Unpermitted activity within the Parks, Trails and Open Public Areas

The public was advised that municipal enforcement and park patrol officers have been patrolling parks, trails and open space areas for activities such as open fires, drug use, alcohol consumption, ATV use, etc. The public was asked to report any suspicious activity by calling 748-1058.

14-07-517     Holy Sepulchre Service  
Tuesday, July 29, 2014

The public was advised that the Holy Sepulchre annual service was being held this evening at 7:00 pm which will impact traffic in that area. It was proposed that it be suggested to the organizing committee that a shuttle service be offered in an effort to alleviate traffic disruption.

14-07-518     Traffic Regulations - Amended

Motion – Councillor Tessier/Councillor Ledwell

RESOLVED THAT the amended traffic regulations be approved as presented.

Discussion: The purpose of the amendment is to clarify Council’s authority to regulate the traffic services throughout the City. Changes include adding, changing and clarifying a number of clauses that reference the commercial motor vehicle, speed limit provisions, definitions and fee structure. The penalties for non-compliance are also adjusted – i.e. blue zone parking penalty increased from \$100 to \$400.

Question called. Motion carried unanimously.

14-07-519     Taxi Regulations - Amended

Motion – Councillor Tessier/Councillor Ledwell

RESOLVED THAT the amended taxi regulations be approved as presented.

Discussion: The purpose of the amendment is to update Council’s authority to regulate taxi services throughout the City. Changes include adding, modifying and clarifying a number of clauses that reference the definitions, licenses, inspections, cruising, fares and tariff rates.

Question called. Motion carried unanimously.



NEW BUSINESS

14-07-520     City Days

Members of council extended congratulations and appreciation to members of the City Days Committee, Community Services staff and all volunteers on a very successful event.

14-07-521     Loud Vehicles (Motorcycles)

Deputy Mayor Locke commented on loud vehicles, in particular motorcycles, and the use of a decibel meter to measure the level (Canadian standard maximum noise a motorcycle can make is 82 decibels). Discussion ensued regarding enforcement under the City's Traffic Regulations. It was noted that tickets can be issued under provincial legislation and that the matter had previously been presented as a resolution to MNL.

14-07-522     City Days – Breakfast

Councillor Stoyles advised of a business started by a former Youth of the Year, Alyssa Ellsworth, whereby she rents princess costumes and these were in use at the City Days Princes & Princesses Breakfast.

14-07-523     Condolences – Tony Walsh

Members of council extended condolences to the family of Tony Walsh, a long-time volunteer in the City.

14-07-524     Ben Dalton – Cycling Fundraiser for MS

Councillor Walsh extended congratulations to Ben Dalton who cycled across Canada this summer to raise awareness for Multiple Sclerosis. He began his ride in Victoria, British Columbia in May and finished today in Mount Pearl.

14-07-525     Fire Ban

Councillor Walsh noted that the City followed the advice provided by the Regional Fire Services (Fire Chief) and lifted the ban against the use of outdoor fire appliances. However, he cautioned residents to exercise caution as the weather conditions continue to be quite dry.

14-07-526     Water Conservation

Councillor Walsh noted that some residents continue to water their lawns in spite of the water conservation order. He suggested that anyone who sees watering taking

place outside of the water conservation order, such instances be reported to the municipal enforcement division.

14-07-527 Warm Weather – Elderly

Councillor Tessier suggested that elderly neighbours be checked on during this hot weather.

14-07-528 Talon Place – Dust Issues

Councillor Aker advised of problems being experienced by some residents of Talon Place as a result of dust from a business that backs some of the properties. It was acknowledged that the matter has been referred to the Planning & Development Committee for follow up.

14-07-529 Fireworks

Councillor Aker questioned the use of fireworks and the CAO clarified that the City doesn't issue permits for the use of fireworks. When the provincial ban on open fires was in place, it included fireworks. When the Province lifted the ban, it was also lifted on fireworks.

14-07-530 Mount Pearl-Paradise Chamber of Commerce

Councillor Ledwell advised of a meeting with the Chamber Executive and provided information on three upcoming events:

- Corporate Golf Classic
- Business Expo & Trade Show
- Best in Business Awards

Further information is available on all events by contacting the Chamber office ([info@mtpearlparadisechamber.com](mailto:info@mtpearlparadisechamber.com) or 364-8513).

ADJOURNMENT

There being no further business, the meeting adjourned at 5:35 pm on a motion by Councillor Tessier and seconded by Councillor Ledwell.

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Chairperson

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Deputy City Clerk