

**PUBLIC COUNCIL MEETING MINUTES
June 20, 2017**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on June 20, 2017 at 4:30 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

Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director, Community Services
Peter Howe, Director, Planning & Development
Mona Lewis, Deputy City Clerk

STAFF ABSENT

Michele Peach, CAO

Mayor Simms chaired the meeting.

17-06-307 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

17-06-308 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on June 6, 2017 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

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

CORPORATE & COMMUNITY SERVICES COMMITTEE

17-06-309 Invoices for Approval

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the following invoices be approved for payment:
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1.	Afonso Group Limited (Sewer Repair - 13 Thomey Place)	\$ 7,230.63
2.	Afonso Group Limited (Sewer Repair - 10 O'Keefe Ave)	\$ 9,616.88
3.	Afonso Group Limited (Sewer Repair - 18 Bragg Crescent)	\$ 5,246.88
4.	Bursey Excavating & Development Inc (Parkdale Ridge Subdivision Contract Payment #2)	\$ 37,060.52
5.	City of St. John's (Water Consumption - May 2017)	\$ 227,167.69
6.	City of St. John's (Robin Hood Bay Landfill - May 2017)	\$ 52,309.53
7.	Dotmar Fitness Equipment Inc (Equipment - Summit Centre)	\$ 8,531.50
8.	Islandwide Group of Companies (Summit Gym Bags)	\$ 5,896.63

9.	Kelloway Construction Ltd (Building of New Office at Depot)	\$ 5,060.00
10.	Kelloway Construction Ltd (Cleaning of Summit - Apr/17)	\$ 10,598.38
11.	Kelloway Construction Ltd (Cleaning of Summit - May/17)	\$ 10,598.38
12.	Kelloway Construction Ltd (Cleaning - Various Locations Apr/17)	\$ 17,058.31
13.	Kelloway Construction Ltd (Cleaning - Various Locations May/17)	\$ 17,058.31
14.	Mercer (Canada) Limited (Professional Services Apr/17)	\$ 8,026.66
15.	MVT Canadian Bus, Inc (Para Transit Services - April/17)	\$ 51,150.19
16.	Newfoundland HVAC (HVAC Maintenance Contract May-Aug/17)	\$ 8,065.27
17.	RICOH Canada Inc (Backfile Scanning)	\$ 15,493.05
18.	Saunders Equipment Limited (Parts - Unit 594)	\$ 5,906.18
19.	St. John's Transportation Commission (Metrobus Transit for Apr/17)	\$ 88,380.89
20.	St. John's Transportation Commission (Go Bus Admin Fee - Jan 1-Mar 31/17)	\$ 7,029.95
		\$ 597,485.83

Question called. Motion carried unanimously.

17-06-310 Ride Don't Hide Bike
Sunday, June 25

For the information of the public, the "Ride Don't Hide" bike ride, hosted by the Canadian Mental Health Association, is being held on June 25. The event

begins in Paradise at 8:30 AM, will include some streets in the Donovans Business Park, and finish at 10:30 AM in Paradise.

17-06-311 Canada Day Celebrations (July 1)

For the information of the public, the annual Canada Day celebrations will take place at St. David's Park (rainy day site is the Reid Centre). Details are available on the City's website.

17-06-312 Regional Fire Services Committee
Ban on Fireworks / Media Campaign

Council was advised that the St. John's Regional Fire Department did not receive sufficient support by the majority of Fire Chiefs on the Northeast Avalon to present a resolution at the Newfoundland and Labrador Association of Fire Services AGM in August which would call on the Provincial Government to ban residential fireworks. Given that such support would be necessary to pursue this resolution, the St. John's Regional Fire Department will no longer be championing the issue. It was noted that Fire Chief Peach would lend support to a political endeavor and that the department would run a safety campaign.

Discussion: It was noted that the City's Noise Regulations currently restrict the use of fireworks with the exception of New Year's Eve and Canada Day. Council followed up on the issue with the Regional Fire Services Committee with respect to pursuing a provincial ban as Council does not have the authority to ban the use or sale of fireworks. It was suggested that the MHA's be engaged to pursue the matter. It was acknowledged that many of the problems with fireworks are applicable to urban areas rather than rural communities. The importance of educating the public on the use of fireworks was also recognized. Council also questioned if a City run fireworks display would reduce the number of individual fireworks displays. (*Referred to Corporate & Community Services Committee for further consideration.*) Appreciation was extended to Fire Chief Peach for his efforts on this matter.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

17-06-313 Contract Recommendation – Multi-Year Capital Works (MYCW) Infrastructure Upgrading, Municipal Avenue Phase 2, St. David's Avenue Phase 2 and Ledrew Place (MA10495)

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to award the contract for the Multi-Year Capital Works (MYCW) Infrastructure Upgrading Project (Municipal Avenue Phase 2, St. David's Avenue Phase 2 and Ledrew Place) to the lowest qualified bidder, J3 Construction Company Limited, for the bid amount of \$554,864.00 (HST excluded).

Question called. Motion carried unanimously.

17-06-314 Contract Recommendation – Multi-Year Capital Works (MYCW)
Donovans Business Park – Consulting Services

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to engage Stantec Consulting Limited to complete the design and tender documents for improvements in Donovans Business Park (extension of sidewalks - Sagona Avenue; upgrading and sidewalks – Bruce Street) for the amount of \$40,155.00 (HST excluded).

It was noted that the Engineering Services Division will complete contract administration and field inspection.

Question called. Motion carried unanimously.

17-06-315 Contract Recommendation – 2017 Asphalt and Concrete Works (TP-17-010)

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to award the contract for the 2017 Asphalt and Concrete Works Project to the lowest qualified bidder, Fairview Investments Limited, for the bid amount of \$572,835.00 (HST excluded).

The work includes general asphalt and concrete repairs, trail surface repairs, Mount Carson Avenue pedestrian crossing signals, and traffic signal sensor repairs.

Question called. Motion carried unanimously.

17-06-316 Contract Recommendation – Heating, Ventilating, Air Conditioning (HVAC)
Maintenance City Buildings TP-17-008

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to award the HVAC Maintenance contract to the lowest qualified bidder, Keep Cool Refrigeration and A/C Limited, for the bid amount of \$20,720.00 (HST excluded), per year, for a service contract period of five (5) years (contract duration until July 31, 2022).

Question called. Motion carried unanimously.

17-06-317 Contract Recommendation - Water and Sewer System Modelling

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to engage CBCL to prepare base modeling for water and sanitary sewer system analysis and potential for

expansion as well as provide support training to the Engineering Services Division for the fee amount of \$30,900.00 (HST excluded).

Question called. Motion carried unanimously.

17-06-318 Contract Recommendation - Design of Ventilation Intake Snow Screens for H. Neil Windsor Municipal Building

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to engage Jewer Bailey Consultants to complete a design and tender call for special snow screens for the depot service and welding bays for the fee amount of \$14,750.00 (HST excluded).

Question called. Motion carried unanimously.

17-06-319 Public Works Maintenance Updates

An update on public works maintenance activities was provided. Residents were reminded that during June, July and August, residents can request a maximum of two bulk collections free of charge. If a collection is required at any other time, there is also a pickup service available at a prepaid fee of \$45. (Further details are available on the City website.) It was clarified that trees blown down by the wind will be removed if there is a safety concern otherwise they will be left to naturally decompose in the woods. It was confirmed that following repairs to lawns damaged by snow clearing operations a pamphlet on caring for the new sods is left with the resident.

17-06-320 Project Updates

An update on various ongoing projects was presented.

17-06-321 New Lawns Reminder - Water Conservation Order

Residents were reminded that new lawns were to be registered by contacting the Engineering Division at 748-1018. In accordance with the water conservation order, newly planted grass can be watered between 6:00 to 8:00 am and 8:00 to 10:00 pm every day for a period of 60 days following installation. Other lawns can be watered at the same times but on Wednesday and Saturday for even civic numbers and on Wednesday and Sunday for odd civic numbers. Further details are available on the City website.

Reference was made to instances of residents washing down their driveways with clean, potable water into the storm sewer. The public was reminded that this is not permitted and it was requested that this be added to the water conservation brochure.

17-06-322 Clear Garbage Bags Initiative – Supporting Waste Audit

The results of the clear garbage bag initiative from March to May were presented showing an overall increase in the recycling diversion rate from 10% in 2013 to 15% since implementing the clear bags. Residents were congratulated for the success of the program.

Discussion: Members of council discussed the clear bag initiative noting the following points:

- The clear bag program was implemented as a cost effective measure to increase the diversion of materials from the landfill which would reduce operating costs for managing waste and also extend the life of the landfill.
- For residents already doing their best to recycle, this program should make no difference except for the color of the bag used.
- The program is intended to increase participation from households that do not presently recycle.
- Fewer calls are being received from residents; most now are seeking clarification on how to dispose of certain items.
- Residents with circumstances requiring special consideration for privacy bags should contact the Public Works Division.
- Reference was made to the senior residents, i.e. inconvenience; possible increased cost of clear bags.
- It was acknowledged that approximately 40% of residents are still not recycling. It was suggested that in order to increase the diversion rate, monitoring and enforcement of the regulations was required.
- Residents not complying with the regulations would receive three warnings from Public Works. Continued noncompliance would be referred to the municipal enforcement division for the issuing of a violation notice.
- There was no decision on when enforcement would commence.

Motion – Councillor Tessier/Councillor Aker

RESOLVED THAT approval be granted to implement the clear garbage bags program on a permanent basis.

Question called. Motion carried unanimously.

PLANNING AND DEVELOPMENT COMMITTEE

17-06-323 Proposed Undertaking for Mount Pearl Drilling Liquid Mud Plant Halliburton (Pardy's) - 30 Kyle Avenue
Correspondence from Department of Municipal Affairs and Environment

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT the presented commentary in relation to an application regarding the property at 30 Kyle Avenue for a drilling liquid mud plant be

approved and that a response be forwarded to the Minister of Municipal Affairs and Environment.

Question called. Motion carried unanimously.

17-06-324 Referral from City of St. John's – Rezoning of Lands to Commercial-Regional
100 Danny Drive – Galway Development

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT a letter as presented be approved and forwarded in response to a referral by the City of St. John's pertaining to a proposed rezoning in the Galway lands of an area that is currently zoned CDA to Commercial – Regional.

Question called. Motion carried unanimously.

17-06-325 Order to Remove Accessory Building
135 Commonwealth Avenue

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT the Order for 135 Commonwealth Avenue be amended and a one year extension to remove the accessory building be approved.

Question called. Motion carried unanimously.

17-06-326 Lat 49 Architecture Inc. on Behalf of Gibraltar Development Ltd.
Comprehensive Development – 40 Dwelling Units – Condominium Development
Consolidation of Land – Phased Development
16-24 Glendale Avenue

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT an application by Lat49 Architecture (on behalf of Gibraltar Development Ltd.) to construct a comprehensive development at 16-20, 22 and 24 Glendale Avenue including the consolidation of three properties numbered 16-20, 22 and 24 Glendale Avenue, the demolition of existing structures on the subject properties, and the construction of a total of 40 new dwelling units in a condominium ownership model consisting of eleven two-storey residential buildings and associated site development, be approved as a comprehensive development in accordance with Regulation 6.47 and a development permit issued subject to the conditions outlined in the committee report dated June 14, 2017.

Question called. Motion carried unanimously.

17-06-327 Building Permits

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT building permits issued for the period June 5 - 16, 2017, showing a total construction value of \$5,987,600.00, be approved.

Question called. Motion carried unanimously.

17-06-328 Kenmount Road Traffic Intersection
Agreement Between City and Relevant Companies

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted for the Mayor and CAO to execute an agreement with H3 Development Ltd., Redwood Management Ltd., and Prospect Development Limited, regarding the development of a traffic intersection on Kenmount Road, in the Cities of Mount Pearl and St. John's, east of the Anglican Cemetery.

Question called. Motion carried unanimously.

NEW BUSINESS

17-06-329 St. David's Park

Deputy Mayor Locke commented on the activation of the bubblers at the St. David's Park, noting they make a lovely addition to the park. He noted that action is under way to address the grass affected by winter kill.

17-06-330 School – Summer Break

Deputy Mayor Locke reminded motorists to be extra cautious as the school year ends and children will be out in their neighbourhoods and playground areas.

17-06-331 International ROV Competition

Deputy Mayor Locke extended congratulations to the students from Mount Pearl Senior High and O'Donel who are participating in the international ROV competition.

17-06-332 Morris Academy – Grade 3 Students

Councillor Stoyles advised that grade 3 students from Morris Academy recently visited City Hall and met with her in the Council Chambers. She noted the students had lots of questions, in particular asking for repairs to a swing on the Scammell Crescent playground. Referred to IPW for follow up. It was noted that trained staff regularly inspect playground equipment to ensure that it is safe.

17-06-333 Kinette Club of Mount Pearl

Councillors Stoyles, Tessier and Ledwell extended congratulations to the Kinette Club for recently hosting a successful convention as well as appreciation for their community involvement. Congratulations were extended to Patricia Warford who won the speaking competition and Rookie of the Year as well as to Kim Evans and Deidre Levandier who were chosen Kinettes of the Year.

17-06-334 Street Markings – Commonwealth Avenue (Ruth Avenue)

Councillor Walsh asked that the Engineering Division investigate the possibility of additional street markings that would improve the likelihood of motorists being in the proper turning and straight through lanes on Commonwealth Avenue (vicinity of Ruth Avenue).

17-06-335 Water Levels – Bay Bulls Big Pond

Councillor Tessier advised that water levels are slightly above the same time last year but lower than 2014 and 2015. She reminded residents of the water conservation policy.

17-06-336 Roaming Cats

Councillor Tessier reminded residents that cats aren't permitted to roam and advised of the problems that such behaviour causes neighbouring property owners.

17-06-337 Teachers – Best Wishes

Councillor Tessier extended appreciation to all teachers for their dedicated service to the children.

17-06-338 Seniors Independence Group

Councillors Aker and Ledwell congratulated the Seniors Independence Group on a successful year (culminated with year-end party).

17-06-339 Councillor Tessier

Councillors Aker and Ledwell recognized that Councillor Tessier wasn't running for re-election and extended best wishes and appreciation for her work during the past 12 years.

17-06-340 Knights of Columbus

Councillor Ledwell extended congratulations to the Knights of Columbus on a successful year, noting it was a year of change for them. Congratulations were

extended to Grand Knight Peter Furlong, Con Milmore on being chosen Knight of the Year and to Larry & Angela Mercer who were chosen Family of the Year.

17-06-341 Special Olympics Mount Pearl

Councillor Ledwell extended congratulations to the Special Olympics soccer athletes who won a silver medal at the Nova Scotia Provincial Games. He noted that the Mount Pearl Club will be hosting some events at the NL Provincial Games.

17-06-342 Bubbler Feature – St. David's Park

Councillor Ledwell clarified the bubbler feature at St. David's noting that it was not intended to be a splash pad and explained the reference element to the park. Mayor Simms queried if it would be possible to have a splash pad too. It was noted that given the design, drainage would be a problem.

17-06-343 The Annex

Mayor Simms advised that the official opening of The Annex will be taking place on Thursday, June 22 at 4:00 pm.

17-06-344 Beaumont Hamel Ceremonies

Mayor Simms reminded residents that the Beaumont Hamel ceremonies will be taking place on July 1 at 11:00 AM at St. David's Park.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:10 PM on a motion by Councillor Ledwell.

Chairperson

Deputy City Clerk