



**PUBLIC COUNCIL MEETING MINUTES**  
**March 25, 2014**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 25, 2014 at 4:15 pm.

MEMBERS PRESENT

Deputy Mayor Jim Locke  
Councillor Lucy Stoyles  
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

MEMBERS ABSENT

Mayor Randy Simms  
Councillor John Walsh

**Deputy Mayor Locke chaired the meeting.**

14-03-183     Adoption of Agenda

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

14-03-184     Adoption of Minutes

Motion – Councillor Tessier/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held on March 11, 2014 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

## BUSINESS ARISING

### 14-03-185     Pride Day

It was acknowledged that today was Pride Day in the Mount Pearl senior and junior high schools – a day to recognize that all students, staff and residents should be valued and respected for who they are regardless of their sexual orientation. It was noted that the feedback on this initiative has been very positive.

## ACTION REPORT

The action report was accepted as presented.

## PROCLAMATIONS/PRESENTATIONS

### 14-03-186     Purple Day for Epilepsy

Deputy Mayor Locke signed a proclamation declaring March 26 as Purple Day for Epilepsy in an effort to raise the awareness and understanding of epilepsy and to support all those who live with seizures each day.

## CORRESPONDENCE

None presented.

## COMMITTEE REPORTS

## COMMUNITY SERVICES COMMITTEE REPORT

### 14-03-187     Citizen of the Year Banquet April 5, 2014

Residents were reminded that the Citizen of the Year Banquet takes place at the Reid Community Centre on April 5, 2014 at 6:30 pm. Tickets can be purchased at the Reid Community Centre. Appreciation was extended to the Kinsmen Club for hosting the event for many years. The nominees are:

Cheryl Ash, Mount Pearl Brigade, St. John Ambulance  
Claudette Coombs, Mount Pearl Lions Club  
Brian Hunt, Mount Pearl Minor Baseball  
Patrick O'Keefe Sr., Father John B. Kent Council 6683, Knights of Columbus

14-03-188     Volunteer Week  
April 6 – 12, 2014

It was noted that Volunteer Week 2014 will take place from April 6 - 12. Appreciation was extended to all who contribute to the quality of our community life. Further information on Volunteer Week activities is available by contacting Krista Tucker at 748-1008; [ktucker@mountpearl.ca](mailto:ktucker@mountpearl.ca) or visit [www.envision.ca](http://www.envision.ca).

14-03-189     Volunteer Thank You Event  
City of Mount Pearl / Mount Pearl Sport Alliance

Residents were advised that a volunteer thank you event, sponsored by the City and the Sport Alliance takes place at the Reid Community Centre, April 12, from 10:30 am -1:00 pm. There will be activities (games and sports) followed by refreshments.

14-03-190     Easter Explorers Day Camp  
April 21 – 25, 2014

The Easter Explorers Day Camp takes place at the Reid Community Centre from April 21 - April 25. Registration is taking place on line ([www.mountpearl.ca](http://www.mountpearl.ca)) and in person at the Reid Centre, for children grades Kindergarten to Grade 6.

CORPORATE SERVICES COMMITTEE

14-03-191     Professional Development and Training - Chief Administrative Officer  
Canadian Association of Municipal Administrators (CAMA) Annual Conference

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for the CAO to attend the Annual CAMA Conference being held in Niagara Falls from May 26 – 28, 2014.

Question called. Motion carried unanimously.

14-03-192     Professional Development and Training Mayor Simms & Deputy Mayor Locke  
Federation of Canadian Municipalities (FCM) Annual Conference

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Mayor Simms and Deputy Mayor Locke to

attend the Annual FCM Conference being held in Niagara Falls, from May 30-June 2, 2014.

Question called. Motion carried unanimously.

14-03-193 Request for Tax Consideration

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to exempt 2014 property taxes, in accordance with Council’s past practice, and 2014 business taxes in accordance with Council’s policy for charitable organizations, for the following:

Name	Address	Type	Annual Amt
Knights of Columbus	7 Greenwood Crescent	Business (100%)	\$6,693.75
		Property (60%)	\$4,590.00

Question called. Motion carried unanimously.

14-03-194 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Ashford Sales Ltd. (Enclosed Trailer)	\$ 16,973.73
2.	Atlantic Chemical & Aquatics Inc. (Pool Vacuum)	\$ 7,288.50
3.	Bae Newplan Group Limited (2013 Street Upgrading)	\$ 19,894.03
4.	Bae Newplan Group Limited (Pearlgate Recreation Centre)	\$ 43,222.50
5.	Bae Newplan Group Limited (2012-2014 MYCW Street Upgrading CP1)	\$ 11,898.74
6.	Cansel (AutoCad Commercial Software Annual Subscriptions)	\$ 5,085.07
7.	City of St. John's (Robin Hood Bay Landfill - Feb 2014)	\$ 29,957.21
8.	ESRI Canada (Annual Software Maintenance Renewal)	\$ 9,504.43
9.	Grand Concourse Authority (Member Contribution Operating Overhead 2014)	\$ 8,234.03

10.	Kelloway Construction Limited (Cleaning Services Jan 2014)	\$	16,432.05
11.	Lighting & Traffic Systems Ltd. (Traffic Signal Maintenance Jan 2014)	\$	28,466.41
12.	Lighting & Traffic Systems Ltd. (Replacement of Two Poles - Glacier Parking Lot)	\$	12,514.75
13.	Newfoundland HVAC Limited (HVAC Maintenance Contract- January to April 2014)	\$	7,925.01
14.	Stantec (Hazardous Bldg Materials Assessment - 1 Arena Rd)	\$	8,475.00
15.	Workplace Health, Safety and Compensation Commission (Assessment)	\$	138,930.04
16.	Avalon Coal Salt and Oil Ltd. (Road Salt)	\$	120,516.85
17.	Avalon Coal Salt and Oil Ltd. (Road Salt)	\$	114,148.64
18.	Marco Services Ltd. (Multiplex CP3- Progress Payment No. 22)	\$	1,382,346.01
19.	Xylem Canada Company (Emergency Response Water Pumps)	\$	7,887.78
20.	Metrobus Transit (Mount Pearl bus service Feb 2014)	\$	98,957.87
	Total	\$	2,088,658.65

Question called. Motion carried unanimously.

14-03-195 Data/Voice Cabling and Associated Equipment - Multiplex

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the tender for the provision of “data/voice cabling and associated equipment” for the Multiplex be awarded to the lowest, qualified bidder, Century 2K, in the amount of \$41,987.65 (plus HST).

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

14-03-196 Winter Maintenance

An update on snow clearing operations was provided.

14-03-197     Multiplex Status

Council was advised that the Multiplex is approximately 93% financially complete.

14-03-198     Tender – Electrical Maintenance TP-14-006

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the tender for electrical maintenance be awarded to the lowest qualified bidder, Emberley Electric Limited, for the bid amount of \$59,042.50 (HST included).

Question called. Motion carried unanimously.

14-03-199     Tender - Supply and Delivery of Playground Equipment TP-14-003

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the tender for the supply and delivery of playground equipment be awarded to the lowest qualified bidder, Henderson Recreation Equipment, for the bid amount of \$69,495.00 (HST included).

Discussion: The 2014 Playground Replacement Program is as follows:

- 1) Forsey Place – structure and two-bay swings
- 2) Champlain Crescent – structure
- 3) Graham Place – structure
- 4) Brett Place – structure and two-bay swings
- 5) Farrell Drive – one-bay swings

Question called. Motion carried unanimously.

14-03-200     Tender – Street Markings TP-14-001

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the tender for street markings be awarded to the lowest qualified bidder, Clearaway Contracting, for the amount of \$507,929.35 (HST included).

Question called. Motion carried unanimously.

PLANNING AND DEVELOPMENT COMMITTEE

14-03-201     Economic Development Accord  
Municipalities Newfoundland and Labrador (MNL) Initiative

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the following resolution be approved:

WHEREAS the City of Mount Pearl believes collaboration between the urban centres of Newfoundland and Labrador will lead to more productive and successful economic development efforts; and

WHEREAS the City of Mount Pearl recognizes its regional leadership role and acknowledge the strength it brings to and draws from its surrounding region; and

WHEREAS the City of Mount Pearl believes building on the current MNL Urban Municipalities Caucus network is the best route to further collaboration and sharing best practices and research on economic development;

BE IT THEREFORE RESOLVED that the City of Mount Pearl wishes to benefit from these activities and authorizes participation in the Urban Accord for Economic Development; and

BE IT FURTHER RESOLVED that the City of Mount Pearl authorizes the Mayor or designate to sign the Accord on behalf of the Council, representing our commitment to the initiative.

Question called. Motion carried unanimously.

14-03-202     J & P Contracting Inc.  
Proposed Development of Commercial Building  
1084-1090 Topsail Road

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the development plan for the property at 1084-1090 Topsail Road be approved and a revised Development Permit issued subject to the development complying with the City's regulations and subject to the conditions of Development Permit DP13-079.

Discussion: The development will consist of a three storey building with a larger building footprint measuring 21.34 m by 36.58 m and a larger gross floor area of 2,341.85 m<sup>2</sup> (25,208.3 sq. ft.). The building footprint has been reconfigured to be located closer to the eastern property boundary. The revised proposal also includes

an increase in the number of parking spaces to coincide with the increase in the floor area of the building. The revised proposal meets the development standards and parking requirements of the Mount Pearl Development Regulations and the Commercial- Mix (CM) use zone standards.

Question called. Motion carried unanimously.

14-03-203

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 text of the Mount Pearl Development Regulations 2010 that, if enacted, will:

1. Remove “Club and Lodge” uses from the list of permitted uses in the following use zones:
  - City Centre (CC)
  - Commercial-General (CG)
  - Commercial-General [Special] (CG-S)
  - Commercial-Neighbourhood (CN)
2. Add “Club and Lodge” uses to the list of discretionary uses in the following use zones:
  - Commercial-Mixed (CM)
  - City Centre (CC)
  - Commercial-General (CG)
  - Commercial-General [Special] (CG-S)
  - Commercial-Neighbourhood (CN)
  - Commercial – Highway (CH)
  - Commercial – Regional (CR)
3. Remove “Bar” and “Lounge” uses from the list of permitted uses and add “Bar” and “Lounge” uses to the list of discretionary uses in the Commercial – Regional (CR)
4. Sequentially renumber the subsequent subsections(s) accordingly.

The purpose of the amendment is to delete a number of commercial uses from the list of permitted uses and add them to the list of discretionary uses in several use zones as the uses may create nuisances to surrounding properties. The uses are being moved to discretionary uses within those use zones so that they are subject to a public notification process.



14-03-204     Development Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT development permits issued for the period of March 10 - 21, 2014 be accepted as presented.

Question called. Motion carried unanimously.

14-03-205     Building Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT building permits issued for the period of March 10 - 21, 2014, showing a total construction value of \$105,800.00 be approved as presented.

Question called. Motion carried unanimously.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

14-03-206     2013 Summer Drinking Water Quality Report

The 2013 Summer Drinking Water Quality Report (prepared by the Department of Environment & Conservation, Water Resources Management Division) for the City's public drinking water supply was presented. There are a number of factors that are measured which the public can read in the report that will be published on the City's website. Overall, the drinking water quality index records the quality of water as "excellent". It was noted that this report is provided on an annual basis.

Reference was made to discussions at the MNL Avalon regional meeting regarding water quality.

14-03-207     Northeast Avalon Joint Council

The NEAJC met on March 19 in Portugal Cove-St. Philips and the next meeting will be held in Conception Bay South on April 16 with Minister Kent in attendance. It was noted that LW Consulting has been requested to present the Council's strategic plan on April 12 in Mount Pearl from 9:00 am – 12:00 noon. Following the presentation, members will be offered an opportunity to tour the Robin Hood Bay Regional Waste Management Facility.

14-03-208     Eastern Regional Services Board

Council was advised that the Minister of Municipal & Intergovernmental Affairs has appointed Councillor Aker as a member of the Eastern Regional Service Board.

It was noted that the Board consists of 20 municipal government representatives led by a Chairperson (Ed Grant) appointed by the Provincial Government. The Board is responsible for implementing the regional plan for communities in the eastern region. A goal of the plan was to close the community landfills that operated in the region and utilize the Robin Hood Bay facility to be the focus for landfill and diversion services/facilities. The City of St. John's operates the facility for the benefit of the region. The Board is currently working on two projects – a centralized compost facility and implementation of garbage collection in cabin areas. It was indicated that although composting may divert materials from the landfill, operational costs remain the same. Discussion ensued regarding backyard composting and the importance of doing it properly.

14-03-209 Earth Hour 2014 – March 29

Earth Hour is the world's largest movement for action on climate change. During Earth Hour hundreds of millions of people around the world turn off their lights for one hour to support a future where climate change is no longer a threat.

The theme for Earth Hour 2014 is “moment of darkness” – encouraging Canadians to pause and think about the planet's future.

Residents and business owners are asked to turn off their lights on March 29 from 8:30 PM – 9:30 PM for Earth Hour.

Information will be posted on the City's website. Staff will be asked to participate and lights in City facilities will be turned off where possible. The Chamber of Commerce and its members will also be asked to turn off non-essential lights.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

14-03-210 Mount Pearl Company #4507  
CLB – 50<sup>th</sup> Anniversary Celebration Parade – April 6

For the information of the public, the Mount Pearl Company #4507 of the CLB will be hosting a parade on Sunday, April 6 commencing at 10:00 am from Centennial Square, marching through Bannister Street onto Smallwood Drive, ending at Church of the Ascension. The parade will then return from the Church of the Ascension at 12:30 pm back to Centennial Street. The CLB is expecting over 200 members/bands in attendance.

NEW BUSINESS

14-03-211 Municipalities Newfoundland & Labrador (MNL) – Avalon Regional Meeting

Councillor Stoyles provided an update on discussions held at the recent MNL Avalon regional meeting that included bulk garbage collection (to offset illegal dumping) as well as fiscal framework consultations. It was clarified that the guidelines for the City's bulk garbage collection have not changed in that items are to weigh less than 50 lbs.

It was also noted that the MNL Municipal Symposium will be held in Gander from May 1 – 3, 2014.

14-03-212 Mount Pearl-Paradise Chamber of Commerce – Annual General Meeting

Councillor Stoyles advised that the Chamber AGM is scheduled for March 27, 2014 at 12:00 noon, Woodstock Colonial Inn.

14-03-213 Condolences – Duggan Family

Councillor Tessier, along with other members of council, extended condolences to Gerri Duggan and her family on the passing of her husband, Ben.

14-03-214 Annual Book Fair

Councillor Aker advised that the Canadian Federation of University Women St. John's annual used book fair will be held on March 26 – 28 at the Arts & Culture Centre. Resident Grace Hollett is a member of the organization.

14-03-215 Mount Pearl Marlins – Swim for Hope Fundraiser

Councillor Ledwell extended congratulations to the Marlins Swim Club on a successful fundraiser in support of the Dr. H. Bliss Murphy Cancer Care Foundation and the swim clubs that are members of Swimming NL.

14-03-216 2014 Bantam AAA Irving Oil Challenge Cup

Councillor Ledwell advised that the Mount Pearl Minor Hockey Association (MPMHA) is hosting the 2014 Bantam AAA Irving Oil Challenge Cup, to be held at the Glacier from April 3-6, 2014. As a kick off to this event, MPMHA held a ball hockey kickoff event on Saturday, March 22, and Councillor Ledwell participated. He extended congratulations to the Association on hosting this event.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:10 pm on a motion by Councillor Tessier and seconded by Councillor Stoyles.

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Chairperson

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Deputy City Clerk