



**PUBLIC COUNCIL MEETING MINUTES
November 29, 2016**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on November 29, 2016 at 4:30 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor John Walsh
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
Jason Collins, Director, Community Services
Darryl Drover, Asset Manager
Mona Lewis, Deputy City Clerk

STAFF ABSENT

Gerry Antle, Director, Infrastructure & Public Works

Mayor Simms chaired the meeting.

16-11-741 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

16-11-742 Adoption of Minutes

Motion – Deputy Mayor Locke /Councillor Walsh

RESOLVED THAT the minutes of the public meeting held on November 15, 2016 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

16-11-743 EastLink Wireless Communications Tower Application
756-774 Topsail Road

Information with respect to the appeal process regarding Council's decision to refuse the communications tower in the rear parking area of Mount Pearl Square at 756-774 Topsail Road was provided. It was noted that the applicant has the right to appeal within 14 days of the date of the decision to the Appeal Board at the Department of Municipal Affairs.

Innovation, Science and Economic Development Canada (ISED) has advised that the applicant has the option to walk away from this location or engage the City again concerning this site or an alternate site. ISED engagement is the last resort for resolution. The idea and spirit of ISED's default consultation process is for the proponent (Eastlink) to work with the land use authority (LUA, City of Mount Pearl) to identify suitable locations. ISED only becomes involved if the applicant files a formal impasse with ISED when all options have been exhausted.

With respect to ISED informing residents of its decision, the City was advised that ISED's decision would be communicated to Eastlink and the City of Mount Pearl not to residents. It was agreed that the City would notify residents of the outcome of Eastlink's review and their chosen site.

It was noted that the applicant is currently assessing other options in the area and will update the City on their plans moving forward once these options have been investigated.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

CORPORATE & COMMUNITY SERVICES COMMITTEE

16-11-744 Invoices for Approval

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the following invoices be approved for payment:

1.	Air-Tite Sheet Metal Ltd. (Air Quality Upgrades H. Neil Windsor Municipal Bldg)	\$ 16,475.40
2.	Bae-Newplan Group (Contract Pmt # 6 Admiralty House Annex)	\$ 94,338.49
3.	Bae-Newplan Group (2012-2014 MYCW Street Upgrading Prof. Svcs.)	\$ 6,236.88
4.	City of St. John's (Water Consumption Oct/16)	\$ 263,848.44
5.	Coleman's Food Center (Christmas Gift Cards for Employees)	\$ 7,837.50
6.	Crown Contracting Inc. (Repairs to Commonwealth Ave Bridge)	\$ 5,635.00
7.	Dexter Construction Company Limited (Upgrading Pumphrey & Princeton Progress Claim #7)	\$ 142,787.14
8.	Electronic Centre (Cameras for St. David's Park Development)	\$ 6,121.45
9.	ESRI Canada Ltd. (Small Govt. Enterprise License Agreement)	\$ 35,650.00
10.	G&M Project Management & Consulting (Meters & Encoder)	\$ 37,936.55
11.	Jewer Bailey Consultants (Glacier Electrical Room Heat Relief)	\$ 7,360.00
12.	Jewer Bailey Consultants (Glacier Inverter)	\$ 7,713.40
13.	Kelloway Construction Ltd. (Extra Cleaning Summit May 26-Dec 31/15)	\$ 15,743.50
14.	Kelloway Construction Ltd. (Extra Cleaning Summit Jan 1-Sept 30/16)	\$ 19,658.10
15.	Kelloway Construction Ltd. (Cleaning Summit - Sept)	\$ 10,598.38

16.	Marcus Contracting Ltd. (Abatement of Hazardous Materials 2-6 Worrall Cres)	\$ 15,525.00
17.	Mobile Service (Engine Repair - Unit 506)	\$ 5,951.25
18.	Newfoundland Design Associates Limited (Team Gushue Park Facility Improvements Prof Svcs)	\$ 18,252.86
19.	Rona Inc. (Extra Play Structure for Yale/McMaster)	\$ 12,995.00
20.	St. John's Transportation Commission (Metrobus Services - Oct/16)	\$ 94,196.18
21.	Stewart McKelvey (Legal Services)	\$ 7,124.25
22.	Stewart McKelvey (Legal Services)	\$ 10,028.00
		\$ 842,012.77

Question called. Motion carried unanimously.

16-11-745 Tax Deferral – Low Income Earners

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the following tax deferrals be approved in accordance with Council's policy for low income earners:

Account #	Amount Deferred
12009	\$2,143.70
2961	\$2,202.90

Question called. Motion carried unanimously.

16-11-746 Winter Program Registration Dates

For the information of the public, the aquatic program registration for Mount Pearl residents will commence Monday, December 19, at 5:00 pm; the open/non-residents' registration will take place on Thursday, December 22, at 5:00 pm.

The Fitness Program registration is open to everyone starting Monday, December 12.

The Director was asked to clarify the percentage of residents vs. non-residents who register for the aquatic program.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

16-11-747 Contract Recommendation – Supply & Delivery of One Hundred and Forty-Six (146) Snow Plow Blade Edges TP-16-032

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to award the contract for the supply and delivery of one hundred and forty-six (146) snow plow blade edges to the lowest qualified bidder, LSW Wearparts, for the bid amount of \$37,713.10 (HST included).

Question called. Motion carried unanimously.

16-11-748 Project Updates

Updates on various projects ongoing throughout the city were presented. Council requested a tour of the Annex be arranged.

16-11-749 Public Works Maintenance Updates

Maintenance updates were provided on work being carried out, i.e. Christmas preparations and topsoil being spread on the Richard Levandier Softball Field.

The public was reminded that the Snow Clearing Regulations – on-street parking ban – comes into effect on December 1 and remains in effect until March 31, both days inclusive, between the hours of 1:00 AM – 8:00 AM.

PLANNING AND DEVELOPMENT COMMITTEE

16-11-750 Mount Pearl – Paradise Chamber of Commerce Best in Business Awards Sponsorship

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT approval be granted to provide a sponsorship of \$500 for the Community Spirit Award and an event sponsorship of \$1,500, for the 2016 Best in Business Awards Event to the Mount Pearl – Paradise Chamber of Commerce.

Question called. Motion carried unanimously.

16-11-751 State of the Economy – City of Mount Pearl 2016 Snapshot and Projections Overview Report

A report on the current status of the Mount Pearl economy was presented. A copy of the report will be posted to the City's Website at www.mountpearl.ca.

16-11-752 Proposed Mount Pearl Development Regulations 2010 Amendment No. 59, 2016 Indoor Firearms Shooting Range Amendment

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT Mount Pearl Development Regulations 2010 Amendment No. 59, 2016 (Indoor Firearms Shooting Range Amendment) be adopted and submitted to the Department of Municipal Affairs for registration.

Discussion: The purpose of the proposed amendment is to provide Council with the authority to consider a proposed development application by Fougere Menchenton Architecture Inc. to develop a multi-use building consisting of a combined recreational vehicle sales and service use and indoor firearms shooting range at 1246-1260 Topsail Road.

In addition, this amendment will define Indoor Firearms Shooting Range, outline the conditions and parking requirements for the use, and identify the use as a discretionary use within the Commercial – Mixed (CM) and Industrial - Light (IL) use zones, and provide Council with the authority to further consider the proposed discretionary development application.

Question called. Motion carried unanimously.

16-11-753 Proposed Mount Pearl Development Regulations 2010 Amendment No. 60, 2016 (Below Grade Development Amendment)

Motion – Deputy Mayor Locke/Councillor Walsh

RESOLVED THAT the Mount Pearl Development Regulations 2010 Amendment No. 60, 2016 (Below Grade Development Amendment) be adopted and submitted to the Department of Municipal Affairs for registration.

Discussion: The purpose of the proposed amendment is to provide Council with the authority to consider a proposed development application by Fougere Menchenton Architecture Inc. to develop a multi-use building consisting of a combined recreational vehicle sales and service use and indoor firearms shooting range at 1246-1260 Topsail Road.

In addition, this amendment will define below grade development, add below grade development to Section 6 – General Development Standards, outline the general provisions required in order for below grade development to occur, and provide Council with the authority to consider below grade or underground development.

Question called. Motion carried unanimously.

16-11-754 Moffatt Road Subdivision Development – Phase 6A (Pearlview West)
MAE Design Ltd. (on behalf of Prospect Development Limited)
Residential Subdivision (35 Lots)

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT an application by MAE Design Ltd. (on behalf of Prospect Development Limited) to develop Phase 6A of Pearlview West Subdivision including the development of 35 single dwelling lots be approved and a development permit be issued subject to the following conditions:

- Newfoundland Power requirements
- St. John's Regional Fire Department's requirements
- the development meeting Moffatt Road Comprehensive Development Scheme 2008 goals, objectives and policies
- Mount Pearl Development Regulations including RSU-3 Land Use Zone requirements
- Department of Environment and Conservation requirements
- Canada Post requirements
- Planning and Development Department requirements
- Engineering Service Division requirements
- Inspection Services requirements
- Finance Division requirements
- signing of a Subdivision Development Agreement

Question called. Motion carried unanimously.

16-11-755 Notice of Motion
Mount Pearl Development Regulations 2010

Councillor Walsh 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 would, at a regular meeting of Council, move an amendment to the text of the Mount Pearl Development Regulations 2010 that, if enacted, would:

1. In Section 11, Use Zone Schedules; subsection 11.19, Industrial - Light (IL) Zone; subsection 11.19.2, Discretionary Uses; subsection 11.19.2 (r), Significant Telecommunications Structure; change "Subject to Regulation 7.26.2" to "Subject to Regulation 7.27.2"

The purpose of this amendment is to correct a numbering error identified in the Development Regulations.

16-11-756 Development Permits

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT development permits issued for the period of November 14 - 25, 2016 be approved as presented.

Question called. Motion carried unanimously.

16-11-757 Building Permits

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT building permits issued for the period of November 14 - 25, 2016, showing a total construction value of \$1,175,150.00, be approved as presented.

Question called. Motion carried unanimously.

16-11-758 Mount Pearl – Paradise Chamber of Commerce Agreement Between the City and the Chamber

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to execute a new agreement between the City and the Mount Pearl-Paradise Chamber of Commerce.

Question called. Motion carried unanimously.

NEW BUSINESS

16-11-759 Open House – Green Space - Truxton Place/Pollux Drive

Deputy Mayor Locke extended appreciation to the residents who attended an open house for the development of the Pollux Drive/Truxton Place green space. He noted that the residents' input will be considered and a subsequent report prepared for Council's consideration.

16-11-760 Mount Pearl Minor Hockey Association (MPMHA) – Annual Food Drive

Members of Council extended appreciation to the organizers, hockey players and other volunteers who participated in the 5th annual MPMHA food drive. It was noted that over \$3,000 in cash donations and 25,000 pieces of food were collected and will be divided between the two Mount Pearl food banks.

Councillor Aker suggested that the volunteers may wish to consider for a future event providing assistance at the food bank locations given the amount of food that needs to be sorted.

16-11-761 Staff Christmas Social

Members of Council commented on the success of the recent staff social and extended appreciation to staff for all they do.

16-11-762 Canada Post

Councillor Stoyles advised that complaints continue to be received concerning community mailboxes and suggested that residents may wish to contact MP Seamus O'Regan regarding their concerns.

16-11-763 Municipal Avenue Development

Councillor Stoyles reiterated her concerns with the monthly rent being charged for the affordable housing units in the Municipal Avenue development. She provided information on rental rates and waiting lists for Masonic Park and St. Luke's as well as NL Housing.

Discussion ensued on the term "affordable housing" and the intent of the Municipal Avenue development. It was clarified that the units were not meant to be to be offered as subsidized units. However, it was agreed that there was a need in the community given the long wait lists. Housing is considered to be affordable when a household spends less than 25% of income on shelter.

16-11-764 Toy Donations

Councillor Tessier advised of the need for children's toys for Christmas and encouraged residents to donate to the St. Vincent de Paul Society, Salvation Army, or another charity.

16-11-765 Santa Claus Parade

Councillor Ledwell reminded residents of the Santa Claus Parade taking place on Saturday, December 3, starting at 10:00 AM from Mount Pearl Senior High School parking lot.

16-11-766 Swim Meet

Councillor Ledwell advised that the Mount Pearl Marlins is hosting a swim meet from December 2 – 4 at the Summit Centre. The "Body Quest Sink or Swim Invitational" will have 390 swimmers registered from all over Newfoundland & Labrador as well as St. Pierre.

ADJOURNMENT

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

Chairperson

Deputy City Clerk