

**PUBLIC COUNCIL MEETING MINUTES**  
**October 8, 2013**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on October 8, 2013 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms  
Deputy Mayor Jim Locke  
Councillor Lucy Stoyles  
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  
Julia Schwarz, Manager, Planning & Development  
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Councillor John Walsh <sup>(1)</sup>

STAFF ABSENT

Michele Peach, Chief Administrative Officer  
Stephen Jewczyk, Director, Planning & Development

<sup>(1)</sup> Arrived during when noted during “new business” portion of agenda.

**Mayor Simms chaired the meeting.**

13-10-642 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

13-10-643 Adoption of Minutes

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on September 3, 2013 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

13-10-644     National Family Week

Mayor Simms signed a proclamation declaring October 7-13, 2013 as National Family Week in the City of Mount Pearl.

Catherine Fagan and Monica Layman, Catholic Women's League, Mary Queen of the World Parish, were in attendance and spoke on the purpose of National Family Week as well as the planned activities.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

13-10-645     Update – Public Works

An update was provided on various issues such as the dog park, playground improvements, road work, bulk garbage and preparation of equipment for winter operations.

*Dog Park/Animal Control – It was noted that the dog park is well utilized and many positive comments have been received. The issue with water build up as a result of the recent rain fall has been addressed and will continue to be monitored. Users were reminded to clean up after their animals in the park as well as on the City's trail system. The public was also advised that the dog park will remain open as long as possible into the winter season but it is not planned to remove snow. The issue of muzzle use on dogs was raised and it was requested that the matter be referred to Committee for further consideration.*

*Waste Diversion – Council was advised that the waste diversion (recycling) rate has decreased. Discussions are ongoing with the MMSB in an effort to address this problem. It was suggested that a “recycling re-education program” be considered.*

COMMUNITY SERVICES COMMITTEE REPORT

13-10-646 Association for the Arts in Mount Pearl  
2013 Operating Grant

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted in accordance with the current MOU to release the 2013 operating grant, in the amount of \$2,500.00, to the Association for the Arts in Mount Pearl.

Question called. Motion carried unanimously.

13-10-647 Fire Prevention Week Proclamation

Residents were encouraged to support the important safety messages of Fire Prevention Week 2013 (October 6 – 12) as well as the many public safety activities and efforts of the Regional Fire Department's Fire and Emergency Services. The Fire Prevention Week 2013 theme, "Prevent Kitchen Fires!" effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

13-10-648 Metrobus/VOCM Cares Thanksgiving Food Drive Week

The 2013 Metrobus/VOCM Cares Thanksgiving Food Drive Week (October 1 – 6) was held in support of the Community Food Sharing Association. Appreciation was extended to the public for supporting this year's Food Drive and making it another wonderful success.

13-10-649 Running Event – October 13, 2013

The public was advised that a running event will be held on October 13, 2013 starting at 8:00 AM in accordance with the specified route. Representatives from St. John Ambulance, Rovers Search & Rescue as well as municipal enforcement officers will be in attendance for the duration of the run.

13-10-650 Oktoberfest Craft Fair - October 14, 2013

The public was advised that the annual Oktoberfest Craft Fair will be held on October 14, 2013 from 10:00 AM to 4:00 PM at the Reid Community Centre. Further information is available on the City's website.

13-10-651 Royal Newfoundland Regiment  
Battle Fitness Test - T'Railway Route, October 20, 2013

The public was advised that the Royal Newfoundland Regiment will use the old rail bed - the T'Railway - within the boundaries of the City of Mount Pearl for a Battle Fitness Test (BFT) on October 20, 2013 (morning).

CORPORATE SERVICES COMMITTEE

13-10-652 Tax Deferral – Low Income Earner

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to defer taxes for account number 1544, in the amount of \$474.36, in accordance with Council's policy for low income earners.

Question called. Motion carried unanimously.

13-10-653 Invoices for Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	Ace Locksmithing (Doors And Hardware for St. David's)	\$ 9,486.36
2.	Afonso Group Limited (Water Sampling August 2013)	\$ 5,169.75
3.	Arbrux Limited (Fountain for Powers Pond)	\$ 12,231.76
4.	Bae Newplan Group (Servicing above 190m Contour)	\$ 8,334.30
5.	Bae Newplan Group (Professional Services 2011 Street Upgrading)	\$ 48,394.41
6.	Bae Newplan Group (2011 Street Upgrading)	\$ 24,440.37
7.	Bae Newplan Group (Sanitary Sewer Study, Blackmarsh -Topsail Road)	\$ 5,101.95
8.	Bae Newplan Group (Flood Proofing Study)	\$ 7,868.71

9.	Bae Newplan Group (Pearlgate Rec Center)	\$ 41,527.50
10.	City of St. John's (Water Consumption August 2013)	\$ 256,292.34
11.	City of St. John's (Regional Fire Services - October 2013)	\$ 342,526.00
12.	Cox & Palmer (Professional Services Brownfield Development Invoice)	\$ 5,535.02
13.	Electronic Centre (Video Surveillance - Skate Board Park)	\$ 8,939.37
14.	Emergency Repair Limited (Fleet Maintenance Repair Unit 589)	\$ 5,102.68
15.	Executive Taxi Service Ltd. (Bus Service for Summer Programs 2013)	\$ 22,316.37
16.	Grand Concourse Authority (Greenwood Softball Field Upgrades)	\$ 42,816.66
17.	Harris Ryan Chartered Accountants (2012 Financial Statement Conversion to PSAB)	\$ 8,616.25
18.	Harris Ryan Chartered Accountants (Accounting Services 2012 - Preparation and Audit Stmt)	\$ 12,091.00
19.	Hitech Communications (Monthly AVL Charge - September 2013)	\$ 5,444.85
20.	Hitech Communications (Monthly AVL Charge - October 2013)	\$ 6,103.02
21.	Imprint Specialty Promotions Ltd. (Employee Jackets)	\$ 6,133.38
22.	Kelloway Construction (Cleaning Services August 2013)	\$ 16,432.05
23.	King's Plumbing & Heating Limited (Install Plumbing at St. David's Softball Building)	\$ 14,125.00
24.	Lighting & Traffic Systems Ltd. (Traffic Signal Service & Materials)	\$ 9,259.98
25.	LSW Wear Parts Ltd. (Plow Blades)	\$ 9,887.50
26.	Marco Services Ltd (Pearlgate Recreation Multiplex CP3 Progress Payment #16)	\$1,651,344.85
27.	Modern Paving Limited (2011 Street Upgrading CP1 Progress Claim #5)	\$ 149,378.46
28.	Newfoundland HVAC (HVAC Maintenance Sept - Dec 2013)	\$ 7,925.01

29.	OnX Enterprise Solutions (Purchase of Server)	\$ 14,371.46
30.	OnX Enterprise Solutions (Upgrade vSphere 5 Essentials)	\$ 5,490.99
31.	RICOH Canada Inc. (Laserfiche Support)	\$ 7,062.50
32.	St. John's Transportation Commission (Metrobus Service - August 2013)	\$ 86,328.63
33.	Stanley Flowers Limited (Planting & Maintenance of Baskets and Planters Aug 2013)	\$ 9,310.15
34.	Transcontinental Print (Fall Activity Guide 2013)	\$ 8,526.95
35.	Weir's Construction Ltd. (Team Gushue Park Facility Improvements Phase I Progress Claim #2)	\$ 31,270.21
36.	Weir's Construction Ltd. (2011 Street Upgrading Progress Claim #3)	\$ 351,808.93
37.	Weir's Construction Ltd. (2011 Street Upgrading Progress Claim #4)	\$ 134,706.29
38.	Wolseley Mechanical Group (Fleet Maintenance Parts)	\$ 7,377.77
	Total	\$3,399,078.78

Question called. Motion carried unanimously.

13-10-654 2012 Consolidated Financial Statements

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the 2012 PSAB compliant financial statements, as audited by the firm Harris Ryan Chartered Accountants, reporting a net debt position of \$22,286,276 and accumulated surplus of \$91,928,805 which includes the net book value of our tangible capital assets totaling \$145,986,908 be approved.

Question called. Motion carried unanimously.

13-10-655     Professional Development & Training – Mayor Simms  
The Georgetown Conference

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Mayor Simms to attend The Georgetown Conference that took place in PEI from October 3 – 5, 2013.

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, COMMUNICATION & TOURISM COMMITTEE

13-10-656     Conservation Corps of Newfoundland and Labrador  
Internship Program

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT approval be granted to participate in the Conservation Corps of Newfoundland and Labrador Twelve-Week Internship Program at an associated cost of \$3,000.00.

Discussion: It was noted that this initiative will allow the continuation of the work undertaken by the 2013 Green Team to establish a corporate waste management plan for interested businesses.

Question called. Motion carried unanimously.

13-10-657     Mount Pearl-Paradise Chamber of Commerce  
Community Spirit Award – Sponsorship

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT approval be granted to sponsor the “Community Spirit Award” as part of the Chamber of Commerce’s Annual Best in Business Awards Banquet, in the amount of \$600.00.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

13-10-658     Multiplex - Update

Council was provided with an update on the Multiplex.

13-10-659     St. David's Park – Building Update

Council was provided with an update on the renovations of the St. David's Park building.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

13-10-660     Application for Second Building on One Lot  
Newlab Engineering Limited on Behalf of Everglades Holdings Limited  
1165 – 1167 Topsail Road – DA12-00781

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the application by Newlab Engineering Limited, on behalf of the property owner Everglades Holdings Limited, to develop a new building (second building on lot) and complete associated site work at 1165-1167 Topsail Road for a proposed Commercial Garage Use be approved and that a development permit be issued subject to the following conditions:

1. Newfoundland Power's conditions;
2. St. John's Regional Fire Department's conditions;
3. Engineering Services Division's conditions;
4. Inspection Services Division's conditions;
5. Planning and Development Department's conditions;
6. a detailed Landscape Plan, completed Landscape Cost Estimate Form and refundable Landscaping Security fee to be submitted for review and approval by the City prior to any building permits being issued;
7. a revised detailed Site Plan illustrating the following shall be submitted for review:
  - a. locations of existing or proposed fire hydrants,
  - b. location and height of any proposed signage,
  - c. location of concrete curbs around all paved areas, and
  - d. on site traffic markings (indicating flow of onsite traffic);
8. a Development Agreement for "Two Buildings on One Lot" is required to be signed;
9. the exterior facade (siding) of the second building on the lot shall match or be complimentary to the exterior facade (siding) of the existing principal building on the lot;
10. a copy of the Development Permit to be forwarded to Canada Post for their records in regards to the provision of mail delivery to the newly created building; and
11. the development meeting the Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.



13-10-661 Mount Pearl Municipal Plan 2010, Amendment No. 5, 2013  
Mount Pearl Development Regulation 2010, Amendment No. 18, 2013  
912 – 924 Topsail Road

Motion - Councillor Aker/Councillor Ledwell

RESOLVED THAT pursuant to the Urban & Rural Planning Act, the Mount Pearl Municipal Plan 2010, Amendment No. 5, 2013 and Mount Pearl Development Regulation 2010, Amendment No. 18, 2013 (912-924 Topsail Road Amendment), be approved and the amended documents be forwarded to the Department of Municipal Affairs for registration.

Question called. Motion carried unanimously.

13-10-662 33 Carleton Drive  
Minimum Building Line Setback Standard Variance  
Residential - Medium Density (RMD) Use Zone

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT approval be granted to issue a development permit for the construction of an approximate 4.11 m<sup>2</sup> extension to the front of the single detached dwelling at 33 Carleton Drive, for the purpose of a front porch, subject to meeting the City of Mount Pearl Development Regulations 2010 and the City of Mount Pearl Building Regulations.

Question called. Motion carried unanimously.

13-10-663 Mount Carson Terrace Subdivision Developments – Phases 5B and 6  
Subdivision Development Agreements

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT approval be granted for the Mayor and Chief Administrative Officer to execute the Mount Carson Terrace Subdivision Development Agreements for Phases 5B and 6 on behalf of the City Council of Mount Pearl.

Question called. Motion carried unanimously.

13-10-664     10 Panther Place  
                  WLH Holdings Ltd.  
                  Second Building on Lot – Spooling Shop

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the development application by WLH Holdings Ltd. to develop a second 852 m<sup>2</sup> building on the property at 10 Panther Place to accommodate a spooling shop be approved and a development permit be issued subject to the following conditions:

1. signing of a development agreement for two buildings on one lot,
2. St. John's Regional Fire Department conditions,
3. Bell Aliant conditions,
4. Newfoundland Power conditions,
5. Engineering Services Division conditions,
6. City Inspector's conditions,
7. Finance Division's conditions,
8. Mapping Services Division recommends the civic number 8 *Panther Place* be assigned to this new building,
9. Planning Services Division requirements, and
10. the development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

13-10-665     Development Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT development permits issued for the period of September 3 – October 4, 2013 be accepted as presented.

Question called. Motion carried unanimously.

13-10-666     Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of August 30 – October 4, 2013, showing a total construction value of \$3,729,900.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

13-10-667     Traffic Flow Study

Deputy Mayor Locke advised that the School District will be testing a change to the current traffic flow configuration for Mount Pearl Senior High & Intermediate Schools on October 9 and 10 whereby Ruth Avenue entrances will be “enter only” and the Michener Avenue access will be “exit only”. Reference was made to the Ruth Avenue School District Traffic Study and the resulting recommendations. Concern was expressed regarding the lack of notice provided by the District to the City.

13-10-668     Collection – Leaves & Grass Clippings

In response to Deputy Mayor Locke, it was confirmed that leaves and grass clippings placed in clear bags (next to the garbage cart) will be collected as part of regular household garbage.

**Councillor Walsh joined the meeting at 5:10 pm.**

13-10-669     Municipalities Newfoundland & Labrador (MNL) – Annual Convention

Councillor Stoyles advised that the MNL Convention is scheduled for November 7 – 9 in St. John’s. Congratulations were extended to Mayor Simms who was acclaimed as Urban Municipalities Director on the Board of Directors.

13-10-670     Seniors Independence Group – Afternoon Tea

Councillor Stoyles advised that the Seniors Afternoon Tea is scheduled for October 9 starting at 1:00 pm at the Reid Community Centre.

13-10-671     Speeding – Royal Newfoundland Constabulary

Councillor Tessier commented on the active campaign by the RNC to address speeding particularly in construction zones and commended them for their efforts.

13-10-672     Condolences

Councillor Tessier extended condolences to the family, friends, students and co-workers of a St. Peter’s Elementary teacher who recently passed away.

She also passed along condolences to the family and friends of Rod Noseworthy who recently passed away, noting his contribution to the sporting community.

13-10-673     Regional Water Committee – Water Level Bay Bulls Big Pond

Councillor Aker advised that the water level at Bay Bulls Big Pond is almost 30 ft which is very good. He encouraged residents to continue to conserve water and reminded the public that the conservation order is in effect year round.

13-10-674     Swearing In Ceremony

Councillor Ledwell extended appreciation to all involved in Council's swearing in ceremony.

13-10-675     Knights of Columbus

Councillor Ledwell extended congratulations to Grand Knight Mike Hussey on his re-election and appreciation to the Knights as they continue to support various charities.

Mayor Simms extended congratulations to members of council on their re-election, noting that the structure of Council Committees is under review as well as the City's strategic plan.

Mayor Simms provided a brief update on the issues (redefining rural Canada) covered at the Georgetown Conference he recently attended.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:20 pm on a motion by Councillor Tessier and seconded by Councillor Ledwell.

---

Chairperson

---

Deputy City Clerk