

PUBLIC COUNCIL MEETING MINUTES
January 9, 2018

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on January 9, 2018 at 4:30 pm.

MEMBERS PRESENT

Mayor Dave Aker
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor Andrew Ledwell
Councillor Isabelle Fry
Councillor Andrea Power
Councillor Bill Antle

STAFF PRESENT

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

STAFF ABSENT

Steve Kent, CAO
Jason Collins, Director, Community Services

Mayor Aker chaired the meeting.

18-01-001 Adoption of Agenda

Motion – Councillor Ledwell /Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

18-01-002 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Power

RESOLVED THAT the minutes of the public meeting held on December 19, 2017 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

18-01-003 First Night Celebrations

Council noted that the First Night Celebrations held at the Summit Centre (swimming) and Glacier (skating) were well attended.

Discussion ensued regarding fireworks, noting that in accordance with the City's Noise Regulations, fireworks can only be discharged on New Year's Eve (between dusk and 12:30 am) and on Canada Day (between dusk and 11:00 pm). It was acknowledged that although few complaints were received, it would be beneficial to communicate the regulations to residents on a timely basis prior to New Year's Eve and Canada Day. It was noted that the Regional Fire Services Committee had considered the banning of fireworks but the majority of fire chiefs on the northeast avalon did not support the ban.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

CORPORATE & COMMUNITY SERVICES COMMITTEE

18-01-004 Invoices for Approval

Motion – Councillor Ledwell/Councillor Power

RESOLVED THAT the following invoices be approved for payment:

1.	Jet Ice (Electric Cart Mounted Spray Paint Package)	\$ 7,923.09
2.	Kirkland, Balsom & Associates (Assessment of 7 Properties Topsail Rd)	\$ 11,442.50
3.	MVT Canadian Bus, Inc. (Go Bus/Paratransit Nov/17)	\$ 56,018.69
4.	NL Power (Various Locations)	\$ 90,974.63

5.	NL Power (Various Locations)	\$ 85,268.12
6.	Over C's Machining & Manufacturing (Unit 626 Repairs)	\$ 15,226.00
7.	Western Hydraulic 2000 Limited (Snow Equipment Cutting Edges Units 570 & 571)	\$ 36,455.00
		\$ 303,308.03

Question called. Motion carried unanimously.

18-01-005 Payment Register

The payment register from December 15, 2017 – January 4, 2018, totalling \$241,590.99 was presented.

18-01-006 Mount Pearl Frosty Festival Inc.
First Installment - 2018 Operating Subsidy

Motion – Councillor Power/Councillor Ledwell

RESOLVED THAT approval be granted to release the first installment of the Frosty Festival's 2018 operating subsidy, in the amount of \$17,500.00, in accordance with the Memorandum of Understanding between the City and the Mount Pearl Frosty Festival Inc.

Question called. Motion carried unanimously.

18-01-007 Renewal of Line of Credit

Motion – Councillor Power/Councillor Ledwell

RESOLVED THAT approval be granted to renew the \$3,000,000 line of credit with the Bank of Nova Scotia in accordance with Section 116 of the City of Mount Pearl Act.

Question called. Motion carried unanimously.

18-01-008 Easter Explorers Day Camp

For the information of the public, registration for the Easter Explorers Day Camp is currently open. Further information is available on the City's website. It was requested that the cost of the camp and clarification on the need for a limit on the number of participants be obtained.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

18-01-009 Contract Award
Supply and Delivery of One (1) Dual Steer Vacuum Street Sweeper TP-17-028

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT approval be granted to award the contract for the supply and delivery of one (1) 2018 dual steer vacuum street sweeper to the lowest qualified bidder, Joe Johnson Equipment., for the bid amount of \$351,170.90 (HST included).

Question called. Motion carried unanimously.

18-01-010 Public Works Maintenance Updates

An update on public works maintenance activities was provided. It was clarified that the City clears hydrants of snow regularly (priority – schools, senior citizen complexes, residential properties). It was acknowledged that there is a protocol in place when a 911 call is received.

18-01-011 Project Updates

An update on various ongoing projects was presented.

PLANNING AND DEVELOPMENT COMMITTEE

18-01-012 Amendments to the City of Mount Pearl Traffic Regulations
Increase to Maximum Fine Amount – Blue Zone Parking

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT approval be granted to amend Schedule A, Items 22 (a) and (b), of the City of Mount Pearl Traffic Regulations 2014 to increase the fine amount from “\$400” to “\$700” for the following offences:

1. parking in a designated impaired mobility space without a permit; and
2. failing to display a designated impaired mobility space permit;

Discussion: It was noted that this amendment will bring the Traffic Regulations in line with the amendment to the Designated Impaired Mobility Parking Regulations under the *Highway Traffic Act*, which came into effect on January 3, 2018. It was acknowledged that an inventory of the City’s blue zone parking had been undertaken in the past and it was questioned whether that should be updated. It was also noted that spaces are now not required to be painted entirely due to a potential slip risk associated with the paint. These spaces will

now be identified with the accessibility logo and additional signage as dictated by Service NL.

Question called. Motion carried unanimously.

18-01-013 Variance Request – Accessory Building Lot Coverage Standard
52 Gushue Avenue

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT an application for the removal of an existing accessory building and an 8% variance request to accommodate the construction of two new accessory buildings at 52 Gushue Avenue be approved subject to the conditions outlined in the Planning & Development Committee report dated January 3, 2018.

Question called. Motion carried unanimously.

18-01-014 Variance Request – Minimum Lot Area - Subdivision and Double Dwelling
6 O’Keefe Avenue

Motion – Councillor Antle/Councillor Stoyles

RESOLVED that an application for the subdivision and a 10% variance request to accommodate the demolition of the existing single detached dwelling and the development of a double dwelling at 6 O’Keefe Avenue be approved, subject to the conditions outlined the Planning & Development Committee report dated January 3, 2018.

Discussion: Councillor Stoyles advised that she supported the project (versus a similar project on St. Andrew’s Avenue that she voted against) as area residents did not express any opposition.

Question called. Motion carried unanimously.

18-01-015 Notice of Motion
Mount Pearl Development Regulations 2010

Councillor Antle gave notice that in accordance with Section 39 of the *City of Mount Pearl Act*, RSNL 1990, C-16, and in accordance with Council's public notification policy, he would, at a regular meeting of Council, move an amendment to the Mount Pearl Development Regulations 2010 that, if enacted, will:

1. Within Section 6 - General Development Standards, under Subsection 6.17 Heritage Building or Structure, remove any references to “The McGrath House” and “906 Topsail Road”.

2. Within Section 12 - Maps, amend Map 1 – Land Use Zoning Map, rezoning an area of land 1,808 square metres in size, located at 906 Topsail Road, from Heritage Resource (HR) to Commercial - Mixed (CM).

The purpose of this amendment is to provide Council with the authority to consider an application for a proposed automotive sales and commercial garage use located near Topsail Road and Farrell Drive.

18-01-016 Notice of Motion
Open Air Burning Regulations 2017

Councillor Antle gave notice that in accordance with Section 39 of the *City of Mount Pearl Act*, RSNL 1990, C-16, 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 Open Air Burning Regulations 2017 that, if enacted, will:

In Section 8, replace current wording with the following:

8. Every person who is guilty of an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so, shall be liable:
 - a) to penalties as stipulated under regulations made in accordance with Sections 280.1, 280.2, 280.3, and 280.4 of the *City of Mount Pearl Act*, RSNL 1990, C-16 and amendments thereto; or
 - b) on summary conviction, to a fine in accordance with the *City of Mount Pearl Act*, RSNL 1990, C-16, Section 438.

The purpose of this amendment is to state the legislative authority of the City of Mount Pearl as outlined in Section 8 of the City of Mount Pearl Open Air Burning Regulations 2017, as per correspondence from the Department of Municipal Affairs and Environment letter, reference COR/2017/03598-01.

18-01-017 Notice of Motion
Mount Pearl Development Regulations 2010

Councillor Antle gave notice that in accordance with Section 39 of the *City of Mount Pearl Act*, RSNL 1990, C-16, and in accordance with Council's public notification policy, he would, at a regular meeting of Council, move an amendment to the Mount Pearl Development Regulations 2010 that, if enacted, will:

1. Align the terms used in the Mount Pearl Development Regulations with those used in the Mount Pearl Municipal Plan 2010 and those used by Innovation, Science, Economic Development Canada with regard to antennas and telecommunication structures.

2. Rearrange Subsection 7.29 of the Mount Pearl Development Regulations 2010 to put the general conditions at the beginning and the specific conditions at the end, to be consistent with other sections of the Regulations.
3. Define the use zones of the Mount Pearl Development Regulations 2010 in which antennas with a height of less than 15 metres, and antennas with a height of 15 metres and greater, would be considered by Council.
4. Require that an antenna with a height of 15 metres or greater, proposed to be located within a permitted use zone, not be placed within the greater of 150 metres or three times the height of the antenna, to adjoining use zones in which such an antenna would not be permitted.

18-01-018 Development Permits

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT development permits issued for the period of December 18 – 29, 2017 be approved.

Question called. Motion carried unanimously.

18-01-019 Building Permits

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT building permits issued for the period of December 18 - 29, 2017, showing a total construction value of \$3,194,100.00, be approved.

Question called. Motion carried unanimously.

NEW BUSINESS

18-01-020 Easter Camp

Deputy Mayor Locke advised that fees for Easter Camp range from \$100 - \$245 depending on the number of children in a family being registered. The cap of 64 is partially to do with staffing but mostly associated with bussing. It was also noted that the cap is based on the traditional demand for the program.

18-01-021 Development Regulations – “Tiny Homes”

Deputy Mayor Locke raised the issue of tiny homes in conjunction with the City’s regulations. Matter referred to the Planning & Development Committee for consideration and subsequent report (addressing potential benefits, drawbacks, etc.) to the Committee of the Whole.

18-01-022 Condolences

Councillor Stoyles extended condolences to the families and friends of Melvin Hong, Brenda Walsh, Albert Mackey, Frank Taylor and John Brown on the passing of their loved ones.

18-01-023 Stephen Thistle – Birthday Greetings

Councillor Stoyles, and other members of Council, extended best wishes to long-time resident, Stephen Thistle, on his 98th birthday.

18-01-024 Frosty Festival

Councillor Ledwell advised that Frosty Festival tickets go on sale on January 13; at the box office (Reid Centre) and on-line.

18-01-025 Hillside Development – Blackmarsh Road/Stonegate Crescent

Councillor Ledwell asked staff to investigate the piling of snow at the intersection of Blackmarsh Road/Stonegate Crescent to alleviate any site impairment for those existing Stonegate Crescent.

18-01-026 Garbage Carts

Councillor Fry reminded residents to avoid placing the garbage cart in a snowbank when putting it to the curb for collection.

18-01-027 Heavenly Creatures

Councillor Fry expressed appreciation to Heavenly Creatures for re-homing animals that had been in the City's holding facility prior to Christmas.

18-01-028 Appreciation – Hong Family

Councillor Power extended appreciation to Council and staff for their expressions of sympathy to her and her family on the passing of her father-in-law, Melvin Hong.

18-01-029 Northeast Avalon Joint Council (NEAJC)

Councillor Antle advised that the NEAJC will be holding a meeting on January 10 at 6:30 pm, Admiralty House. He noted that Chief Boland (RNC) was the guest speaker.

18-01-030 Snow Clearing Operations

Councillor Antle reminded residents not to park on the street following a storm as it impedes snow clearing operations.

18-01-031 Trails – Grooming

Councillor Antle advised he's spoken with residents who appreciate the grooming of trails.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:30 PM on a motion by Councillor Fry and seconded by Councillor Ledwell.

Chairperson

City Clerk