

PUBLIC COUNCIL MEETING MINUTES
July 24, 2018

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 24, 2018 at 4:00 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

Steve Kent, CAO
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director, Community Development
Mona Lewis, City Clerk

Mayor Aker chaired the meeting.

18-07-522 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

18-07-523 Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the minutes of the public meeting held on July 10, 2018 be adopted as presented.

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

18-07-524 Presentation – Andy and Lois Mavroyannis (Mr. Jim’s Pizza)

Mr. and Mrs. Mavroyannis and their family were welcomed to the Council Chambers and presented with a certificate in recognition of their long-standing business – Mr. Jim’s Pizza. Their support of the community for the past 40 + years was acknowledged with appreciation.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

CORPORATE & COMMUNITY SERVICES COMMITTEE

18-07-525 Invoices for Approval

Motion – Councillor Power/Councillor Ledwell

RESOLVED THAT the following invoices be approved for payment:

1.	City of St. John's (Robin Hood Bay Landfill June/18)	\$ 41,592.97
2.	City of St. John's (Water Consumption May/18)	\$ 228,195.48
3.	City of St. John's (Water Consumption June/18)	\$ 204,737.60
4.	Clarke Dispute Resolution Inc (Legal Fees)	\$ 9,487.50
5.	DMG Consulting Limited (Commonwealth Ave Infrastructure Upgrades Period Ending June 1/18)	\$ 20,893.55
6.	DMG Consulting Limited (Topsail Rd/Blackmarsh Rd Infrastructure Upgrades Period Ending June 1/18)	\$ 11,972.25
7.	Farrell's Excavating Limited (Donovan’s Business Park Improvements Ph2)	\$ 112,570.71
8.	FYB Holdings Ltd (Traffic Signal Repairs Feb/18)	\$ 5,381.47
9.	FYB Holdings Ltd (Traffic Signal Repairs Mar/18)	\$ 6,431.66
10.	Grand Concourse Authority (Claim #1 Forsey Place Bridge Upgrading)	\$ 20,599.01

11.	Grand Concourse Authority (Gateway Signage, Richard Nolan Drive Claim #1)	\$ 13,269.82
12.	Harvey & Co Limited (Repairs Unit 727)	\$ 6,221.76
13.	Harvey & Co Limited (Repairs Unit 728)	\$ 8,554.75
14.	Kelloway Construction Ltd (Cleaning - May/18)	\$ 31,013.55
15.	Kelloway Construction Ltd (Cleaning - June/18)	\$ 29,513.66
16.	Murray's Landscape Services (Extra Plants St. David's Park)	\$ 5,750.00
17.	Murray's Landscape Services (Landscape Maintenance May 1-June 5/18)	\$ 5,186.25
18.	Murray's Landscape Services (Flower/Planters Claim #1 June/18)	\$ 40,899.75
19.	North Atlantic Petroleum (Diesel Cardlock Equipment)	\$ 9,840.03
20.	Saunders Equipment Limited (Boom Hose)	\$ 5,043.10
21.	CBCL Limited (Professional Svcs ended Jan 26/18)	\$ 32,533.50
22.	CBCL Limited (Professional Svcs ended Feb 23/18)	\$ 8,926.30
23.	CBCL Limited (Professional Svcs ended Mar 23/18)	\$ 8,926.30
24.	CBCL Limited (Professional Svcs ended Sept 8/17)	\$ 15,410.00
25.	CBCL Limited (Professional Svcs ended Sept 8/17)	\$ 8,883.75
26.	CBCL Limited (Professional Svcs ended Aug 11/17)	\$ 26,450.00
27.	CBCL Limited Professional Svcs ended Aug 1/17)	\$ 8,883.75
28.	CBCL Limited (Professional Svcs ended July 14/17)	\$ 17,852.60
		\$ 945,021.07

Question called. Motion carried unanimously.

18-07-526 Payment Register

The payment register for the period of July 10 - 20, 2018, totalling \$1,133,966.33, was presented.

18-07-527 New Collective Agreement with CUPE Local 2099

Background:

It was noted that the City's collective agreements with its unionized employees represented by CUPE Local 2099 and CUPE Local 2099-1 expired on June 30, 2018. A tentative agreement was reached on June 28, 2018 after discussions with Council and CUPE ratified the agreement on July 10, 2018.

The agreement resulted in a merge of the two collective agreements into one and it covers a four-year period from July 1, 2018 to June 30, 2022. It includes wage increases of 4% as follows:

- *July 1, 2018* *1.0%*
- *July 1, 2019* *0.5%*
- *July 1, 2020* *0.5%*
- *July 1, 2021* *2.0%*

The following highlights other achievements:

- *Implementation of a job evaluation system*
- *A wage agreement within the City's fiscal constraints*
- *Improved service delivery to residents and business community through:*
 - *The opportunity for extended front counter service at City Hall*
 - *The addition of "casual" employee definition for snow clearing and ice control*
- *Streamlined payment for meal allowance*
- *Enhanced opportunity for career growth for employees*
- *Allowance for tools and replacement of same*
- *Changes to clothing issue and footwear allowances*
- *Other language clean up*

Motion – Councillor Ledwell/Councillor Power

RESOLVED THAT the Collective Agreement between the City of Mount Pearl and CUPE Local 2099, as negotiated by both parties, be approved AND FURTHER THAT the Mayor, CAO and bargaining team be authorized to sign the agreement on behalf of the City.

Discussion: Council congratulated both teams on working together to reach an agreement.

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

18-07-528 Construction Change Order Approval (RCO) – 17-MYCW-15-00047
Infrastructure Improvements: Commonwealth Avenue CPR17002

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the following construction change order for the Infrastructure Upgrades: Commonwealth Avenue project be approved:

RCO #	Description	Value (HST Included)
	<i>Original Contract Price</i>	\$8,639,133.50
#01	Revised Storm Culverts at Commonwealth Avenue/Smallwood Drive. <i>The shape of the culverts in the specification required to be revised to accommodate onsite dimensions and avoid conflict with existing underground Bell Aliant duct.</i>	\$46,000.00
	Total Change Orders	\$46,000.00
	<i>Previously Approved Change Orders</i>	\$00.00
	Revised Contract Price	\$8,731,133.50

Question called. Motion carried unanimously.

18-07-529 Design Change Order Approval (RCO) - 17-MYCW-15-00047
Infrastructure Improvements: Commonwealth Avenue CPR17002

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the following design change order for the Infrastructure Upgrades: Commonwealth Avenue project be approved:

RCO #	Description	Value (HST Included)
	<i>Original Contract Price</i>	\$419,197.68
#01	Design of Accessible Signals at the following intersections: <ul style="list-style-type: none"> • Ruth Avenue/Commonwealth Avenue • Centennial Street/Commonwealth Avenue • Smallwood Drive/Commonwealth Avenue • Whiteley Drive/Commonwealth Avenue • Richard Nolan Drive/Commonwealth Avenue 	\$27,830.00
	Total Change Orders	\$27,830.00

	<i>Previously Approved Change Orders</i>	\$00.00
	Revised Contract Price	\$447,027.68

Note: This change order covers the design and not any costs associated with contractor change orders associated with this design change.

Question called. Motion carried unanimously.

18-07-530 Construction Change Order Approval - 17-MYCW-15-00047 Infrastructure Improvements: Topsail Road and Blackmarsh Road CPR17001

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the following construction change order for the Infrastructure Upgrades: Topsail Road and Blackmarsh Road project be approved:

RCO #	Description	Value (HST Included)
	<i>Original Contract Price</i>	\$251,748.63
#01	Design of Accessible Signals at the following intersections: (1) Topsail Road/Blackmarsh Road <i>and</i> (2) Topsail Road/Farrell Drive <i>Note: New design will include redesign of the signal layout and inclusion of tactile plates, etc.</i>	\$00.00
	Total Change Orders	\$12,839.75
	<i>Previously Approved Change Orders</i>	\$00.00
	Revised Contract Price	\$264,588.38

Note: This change order covers the design and not any costs associated with contractor change orders associated with this design change.

Question called. Motion carried unanimously.

18-07-531 Contract Recommendation – Coordination of Traffic Control Signals

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT approval be granted to award the contract for the provision of a comprehensive coordination of the following traffic control related projects to SNC Lavalin for the bid amount of \$9,418.50 (HST included):

- Blackmarsh Road/Stonegate Crescent Crosswalk
- Smallwood Drive/Arena Road Crosswalk
- Mary Queen of the World Crosswalk
- Mount Carson Crosswalk
- Old Placentia Road – Dominion Intersection
- Old Placentia Road – Ruth Avenue Intersection

- Old Placentia Road – Smallwood Drive Intersection
- Richard Nolan Drive – Merchant Drive Intersection
- Ruth Avenue – Roosevelt Avenue Crosswalk
- Topsail Road – Dunn’s Road Intersection

Question called. Motion carried unanimously.

18-07-532 Change Order Approval - Supply and Delivery of Traffic Equipment TP17024 (Various Suppliers)

Motion – Councillor Fry/Deputy Mayor Locke

RESOLVED THAT the following change order for the supply and delivery of traffic equipment be approved:

RCO #	Description	Value (HST Included)
	<i>Original Contract Price</i>	\$26,690.18
#02	An additional 1 RA-5 Shoebox timer required to complete project. Quantities were estimated initially. 1 @ \$1074.60 = \$1,074.60 plus HST = \$1,235.79	\$1,235.79
	Total Change Orders	\$1,235.79
	<i>Previously Approved Change Orders</i>	\$00.00
	Revised Contract Price	\$27,925.97

Question called. Motion carried unanimously.

18-07-533 Change Order Approval - Supply and Delivery of Traffic Equipment TP17024 (Various Suppliers)

Motion – Councillor Fry/Deputy Mayor Locke

RESOLVED THAT the following change order for the supply and delivery of traffic equipment be approved:

RCO #	Description	Value (HST Included)
	<i>Original Contract Price</i>	\$75,322.70
#03	An additional 1 RA-5 Assembly (Mast Arm Mount) 1 @ \$3073.45 = \$3,073.45 plus HST = \$3,534.47 An additional 3 Junction Boxes 3 @ \$374.00 = \$1,122 plus HST = \$1,290.30	\$4,824.77
	Total Change Orders	\$4,824.77

	<i>Previously Approved Change Orders</i>	<i>\$00.00</i>
	Revised Contract Price	\$80,147.47

Question called. Motion carried unanimously.

18-07-534 Contract Recommendation – Asphalt and Concrete Works TP-18-026

Motion – Councillor Fry/Deputy Mayor Locke

RESOLVED THAT approval be granted to award the contract for Asphalt and Concrete Works TP-18-026 to the lowest qualified bidder, Weir's Construction Limited, in the bid amount of \$924, 669.00 (HST included).

The work includes mill and fill repairs, The Annex parking lot asphalt, traffic signal bases, pedestrian crosswalk signal bases and underground at Stonegate/Blackmarsh, and Smallwood Drive/Team Gushue.

Question called. Motion carried unanimously.

18-07-535 Spring/Summer Maintenance Updates

An update on public works maintenance activities was provided.

PLANNING AND DEVELOPMENT COMMITTEE

18-07-536 Ratification of Order - 43 Greenwood Crescent – Dwelling Destroyed by Fire

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT pursuant to the *Urban and Rural Planning Act, 2000*, the Order (to complete a building permit application to either rebuild or demolish the existing structure) issued to the property owner and business partner of 43 Greenwood Crescent, be ratified by Council.

Question called. Motion carried unanimously.

18-07-537 Businesses Operating Without a Permit
Ratification of Orders

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT pursuant to the *Urban and Rural Planning Act, 2000*, the Cease and Desist Orders issued to the following businesses, requiring the businesses to cease and desist operating their business until an Occupancy Permit is issued, be ratified by Council:

Business	Civic Address
American Income Life NL	48 Bannister Street
Akita Equipment (53385 NL Ltd.)	96 Clyde Avenue, Suite 202
Ocean Choice International	127 Clyde Avenue
Steele Pre-Owned	25 Corey King Drive
Corporate Concierge Services & Memories Forever	27 Glencoe Drive
Jardine Transport	111 Glencoe Drive
Apricity Tan & Beauty Bar (80638 NL Inc.)	250 Park Avenue
Royal LePage Real Estate	835 Topsail Road, Suite 201
Hot Spot Roofing	1277 Topsail Road

Question called. Motion carried unanimously.

18-07-538 Ratification of Order – 74 Old Placentia Road – Unit 116

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT pursuant to Section 109 of the *Urban and Rural Planning Act, 2000*, the Order issued to the business owner/operator of Stuff It Your Way Pita and the property owner of 74 Old Placentia Road be ratified.

Question called. Motion carried unanimously.

18-07-539 Holy Sepulchre Cemetery Mass
July 31, 2018 – 7:00 pm

For the information of the public, the Holy Sepulchre Cemetery Mass is scheduled for July 31 at 7:00 pm; this will impact traffic along Topsail Road and Blackmarsh Road. City staff will assist with roadway adjustments and traffic control. The Communications Division will post information via social media.

18-07-540 Development Permit List

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT development permits issued for the period of July 9 - 20, 2018 be approved.

Question called. Motion carried unanimously.

18-07-541 Building Permit List

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT building permits issued for the period of July 9 - 20, 2018, showing a total construction value of \$792,340.00, be approved.

Question called. Motion carried unanimously.

NEW BUSINESS

18-07-542 Tely 10 Road Race

Deputy Mayor Locke extended congratulations to those who participated in the Tely 10 Road Race as well as appreciation to all volunteers.

18-07-543 City Days

Members of Council extended appreciation to staff, volunteers and nonprofit groups on another successful City Days celebration. Appreciation was extended to members of the Lions Club who shared information on the community garden program. Special mention was made of the volunteers who've been involved year after year.

18-07-544 Condolences – Joan King

Councillor Stoyles extended condolences to Mrs. King's family and friends, noting her many years of volunteering with the Library Board.

18-07-545 Congratulations – Gary Martin

Councillor Stoyles extended congratulations to Gary Martin who was named to the mission staff for the 2019 Canada Winter Games taking place in Red Deer, Alberta. Mr. Martin was named the Assistant Chef De Mission. It was requested that a letter of congratulations be forwarded from the Mayor's office.

18-07-546 Chase the Ace – Sport Alliance

Councillor Stoyles commented on the Chase the Ace fundraiser, noting that it continues to grow in popularity as the jackpot increases. Discussions took place on ways to alleviate traffic congestion, such as bussing participants, increased municipal enforcement, and creation of a satellite site. Director Collins advised that a satellite site (Mary Queen of the World) is being considered. He also noted that the group meets weekly to discuss logistics around the event.

18-07-547 Driver/Vehicle Mail Notifications

Councillor Stoyles reminded residents that as of April 30, 2018, vehicle registration and driver's license renewal reminder notifications were no longer sent by mail. Reminders can be received by email by registering your email address with the Motor Registration Division. Further information is available on the Service NL website.

18-07-548 Apartment Complex – 33-39 Municipal Avenue

Councillor Stoyles advised that apartments have been rented to tenants other than seniors. She noted that the developer is in contravention of the development permit which stipulates that it is to be a senior's housing project. She further noted that the developer's request for a change in the condition of the development permit was denied by Council. She requested that the matter be investigated by the Community Development Department with a subsequent report to the Planning & Development Committee.

18-07-549 St. John's International Airport Authority

Councillor Fry extended congratulations to the Airport Authority on the opening of the first phase of the expanded airport terminal building.

18-07-550 Royal Canadian Legion Annual Track & Field Meet

Councillor Fry advised that she attended (brought greetings) the above noted meet held at the Pearlgate Track & Field facility. Congratulations were extended to all athletes and to those who will now be representing the province in the national competition being held in Manitoba, August 10 – 12.

18-07-551 Pride Parade

Councillor Fry advised that she and Councillor Power attended the recently held Pride parade and flag raising.

18-07-552 MS Society Avalon Chapter

Councillor Fry spoke of the recent tree/plaque dedication for the MS Society Avalon Chapter to raise awareness of the disease and to support those living with MS.

18-07-553 "Plugged in the Park"

Councillor Fry advised of a youth open mic night taking place July 26 at 6:00 pm, St. David's Park; she encouraged residents to attend.

18-07-554 Special Olympics Newfoundland & Labrador

Councillor Fry extended congratulations and best wishes to the athletes who will be participating in the 2018 Special Olympics Canada Summer Games being held July 31 – August 4 in Antigonish, Nova Scotia.

18-07-555 Tely 10

Councillor Power also commented on the Tely 10 and extended appreciation to City staff and the contractor for working together to ensure Topsail Road (near Blackmarsh Road) was prepared for the running event.

18-07-556 “No Left Turn” Signage – Smallwood Drive onto Commonwealth Avenue

In response to Councillor Antle, an explanation on the no left turn from Smallwood Drive onto Commonwealth Avenue was provided. There is a lift station on Emberley Place that is being replaced; bringing sanitary sewer to the next manhole in the through lane on Smallwood Drive into Commonwealth Avenue. Therefore, traffic isn't permitted in that lane. It was noted that there are sometimes instances of other signs that should be removed on a timelier basis.

18-07-557 Regional Fire Department – 2018 Firefighter Recruits Ceremony

Councillor Antle advised that he was pleased to attend the 2018 recruit helmet ceremony and extended congratulations to the 16 new recruits who are joining the St. John's Regional Fire Department.

18-07-558 Playground Upgrades

Councillor Antle commented on the ongoing playground upgrades; noting that the new equipment looks great!

18-07-559 New World Running Club – Running Event – October 7, 2018

Councillor Stoyles advised of an inquiry from the organizer of the above event as to whether an alternate route should be considered given the ongoing construction on Commonwealth Avenue. Director Collins advised that Infrastructure and Public Works had been consulted and the group had been informed to use an alternate route.

18-07-560 City Days

Mayor Aker also extended appreciation to the small businesses and service groups that supported the City Days celebrations.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:15 PM on a motion by Councillor Power and seconded by Councillor Antle.

Chairperson

City Clerk