

PUBLIC COUNCIL MEETING MINUTES
February 19, 2019

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on February 19, 2019 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

Steve Kent, CAO
Jason Silver, Director of Corporate Services
Gerry Antle, Director of Infrastructure and Public Works
Jason Collins, Director of Community Development
Chantal Froude, Human Resources Assistant
Cassie Pittman, Manager of Marketing,
Communications and Economic Development

STAFF ABSENT

Mona Lewis, City Clerk

Mayor Aker chaired the meeting.

19-02-083 Adoption of Agenda

Motion – Deputy Mayor Locke/Councillor Antle

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

19-02-084 Adoption of Minutes

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held on February 5, 2019 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

19-02-085 Heart Month

Mayor Aker signed a proclamation declaring February 2019 as Heart Month in the City of Mount Pearl. Mr. Jonathan Kirby, Manager of Government Relations and Health Promotion and Ms. Jillian Pollard, Coordinator for Health Promotion and Communications NL, from the Heart and Stroke Foundation were in attendance and spoke on the significance of the proclamation.

19-02-086 Citizen Communication – Bonnie O'Rourke

Resident, Bonnie O' Rourke, was introduced. Ms. O'Rourke presented objections and concerns regarding the proposed Kenmount Hill Comprehensive Development Scheme.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

CORPORATE AND COMMUNITY SERVICES

19-02-087 Invoices for Approval

Motion – Councillor Ledwell/Councillor Power

RESOLVED THAT the following invoices be approved for payment:

1.	A+Mais Technologies Inc. (Mais Software Jan-Dec 2019)	\$ 15,090.30
2.	Big Bang Promotional Products (City Clothing)	\$ 6,591.46
3.	Cal LeGrow (Environmental Impairment Liability Poll)	\$ 15,237.50
4.	Cal LeGrow (Insurance Premiums)	\$ 18,554.00
5.	Fairview Investments Limited (CPR 17002 Bal of PC#10 Commonwealth Ave Upgrades)	\$ 224,912.87

6.	FYB Holdings Ltd (Traffic Light Repairs Jan/19)	\$ 6,582.86
7.	Harvey & Company Limited (Repairs Unit 728)	\$ 7,834.73
8.	Irving Energy Distribution (Regular Gas - Depot)	\$ 5,661.69
9.	Irving Energy Distribution (Regular Gas - Depot)	\$ 5,178.00
10.	King's Plumbing & Heating Limited (Hot Water Tank Replacement at Glacier)	\$ 5,627.34
11.	Moss Development Corporation (Installation of Inclined Platform TP-18-038 PC#3)	\$ 18,616.70
12.	North Atlantic Petroleum (Dyed Diesel - Depot)	\$ 15,612.03
13.	North Atlantic Petroleum (Dyed Diesel - Depot)	\$ 5,800.25
14.	North Atlantic Petroleum (Dyed Diesel - Depot)	\$ 7,030.20
15.	North Atlantic Petroleum (Dyed Diesel - Depot)	\$ 11,277.26
16.	North Atlantic Petroleum (Dyed Diesel - Depot)	\$ 12,236.84
17.	St. John's Transportation Commission Metrobus Svcs Jan/19)	\$ 105,139.07
18.	St. John's Transportation Commission (Metrobus Admin Fee Accessible Svc Sept- Dec/18)	\$ 28,939.75
19.	Triware Technology (LAN/WAN Upgrade)	\$ 6,828.13
20.	Universal Power Solutions Inc (Emergency Lighting Battery Changeout)	\$ 12,190.00
		\$ 534,940.98

Question called. Motion carried unanimously.

19-02-088 Payment Register

The payment register for the period of February 6 - 15, 2019, totalling \$1,200,350.18, was accepted.

19-02-089 Line of Credit – Toronto-Dominion Bank

Motion – Councillor Ledwell/Councillor Power

RESOLVED THAT approval be granted to establish a \$3,000,000 line of credit with a floating interest rate of prime minus 0.900% per annum with The Toronto-Dominion Bank in accordance with Section 116 of The City of Mount Pearl Act.

This line of credit is for daily cash management purposes, and interest is only charged when the credit facility is used by the City, if required.

Question called. Motion carried unanimously.

19-02-090 Ultimate Recipient Gas Tax Agreement

Motion – Councillor Power/Councillor Ledwell

RESOLVED THAT approval be granted to enter into an agreement under the Ultimate Recipient Gas Tax program for the years 2019 to 2014.

The total funding offered to the City of Mount Pearl under this program is \$5,090.44.

Question called. Motion carried unanimously.

19-02-091 Request for Tax Consideration

Motion – Councillor Power/Councillor Ledwell

RESOLVED THAT approval be granted to exempt 2019 taxes, as specified, in accordance with the policy for charitable and non-profit organizations, for the following:

Name	Address	Type	Annual Amount
Community Food Sharing Association	1143-1149 Topsail Road	Business (100%)	\$4,777.28
Alzheimer Society	833-839 Topsail Road	Business (100%)	\$3,193.81
Canadian Diabetes Association	860-866 Topsail Road	Business (100%)	\$1,857.51

Question called. Motion carried unanimously.

19-02-092 Schedule – Leisure Pool, Summit Centre

For the information of the public, the Summit Centre Leisure Pool (only) will be closed for maintenance on Wednesday and Thursday, February 20 and 21, 2019.

19-02-093 Focus on Youth Awards – Nominations Now Open

Information on the Focus on Youth Awards was presented. Further details are available on the City website and the deadline for nominations is March 4, 2019.

PLANNING AND DEVELOPMENT COMMITTEE

19-02-094 Proposed Amendments – Kenmount Hill CDS

Motion – Councillor Stoyles/Councillor Antle

RESOLVED THAT approval be granted for the Mount Pearl Municipal Plan 2010 Amendment No. 21, 2018 and the Mount Pearl Development Regulations 2010 Amendment No. 66, 2018 (Kenmount Hill CDS Amendment), AND FURTHER THAT the amendment documentation be submitted to the Department of Municipal Affairs and Environment for Provincial registration.

Council had a discussion and members who participated spoke favorably of the amendments.

Question called. Motion carried unanimously.

19-02-095 Notice of Motion – Mount Pearl Building Regulations

Councillor Antle gave notice that in accordance with Section 39 of the *City of Mount Pearl Act*, RSNL 1990, C-16 and with Council's public notification policy, he would, at a regular meeting of Council, move to amend the text of the Mount Pearl Building Regulations 2011 that, if enacted, will result in a number of amendments that in summary would:

1. updates required to clarify intent or modify intent to:
 - resolve one instance of conflicting wording;
 - add "service repairs" to list of works requiring a building permit;
 - clarify scope of requirement for occupancy permit to include new and existing buildings, as well as a change of use or change of tenant;
 - add new requirement for provision of a Hazardous Materials Report if deemed necessary by City Inspector;
 - change "asbestos" to "hazardous" to include all potential hazardous materials;
 - add requirement for a follow up inspection and issuance of a final occupancy permit to ensure follow through requirements are specified for conditional occupancy permits;
 - clarify criteria for issuance of an Order;

- increase first offence fine from \$100 to \$250; and increase second and subsequent offences fine from \$250 to \$500; and
 - change publishing requirement from “The Telegram” to “a newspaper in the area”.
2. updates required to reflect changes to the City’s organizational structure, Council, or staffing since 2011, and these changes would not alter the intent of the regulations; and
 3. housekeeping-type edits to correct typos, improve grammatical sentence structure, improve formatting style, bring up to date, or make use of terms/phrasing more consistent throughout document, etc., and these changes would not alter the intent of the regulations.

The purpose of the proposed City of Mount Pearl Building Regulations Amendment would be to provide Council with the authority to regulate building within the City, in a manner to:

- bring the regulations up to date with current information, terminology, and accepted practices,
- reflect the City’s current organizational structure, without altering intent of the current regulations, and
- correct minor errors, clarify phrasing, and improve formatting without altering intent of the current regulations.

19-02-096 Development Permits

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT development permits issued for the period February 4 – 15, 2019 be approved.

Question called. Motion carried unanimously.

19-02-097 Building Permit and Occupancy Permit Lists

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT building permits issued for the period of February 4 – 15, 2019, showing a total construction value of \$635,750.00, be approved AND FURTHER THAT the occupancy permit list be accepted as presented.

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS

19-02-098 Change Order – Commonwealth Avenue Upgrading

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the following change order for the Commonwealth Avenue Upgrading project be approved:

Request for Change Order# (RCO#)	Description	Value (HST Included)
	Original Construction Contract Price	\$8,639,133.50
06	Adjustments to Contract Quantities	\$808,374.26
	Previously Approved Construction Change Orders (#1,2,3,4,5)	\$166,089.65
	Current Contract Value	\$9,613,597.41

Question called. Motion carried unanimously.

19-02-099 Change Order – Summit Centre Roof Repairs

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the following change order for Summit Centre roof repairs project be approved:

Request for Change Order# (RCO#)	Description	Value (HST Included)
	Original Construction Contract Price	\$34,004.00
01	Periodic Inspections	\$10,925.00
	Current Contract Value	\$44,929.00

Question called. Motion carried unanimously.

19-02-100 Blackmarsh Road Upgrading Phase

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT approval be granted to use Vigilant Management, via a change order to their contract for current capital projects, to initiate the project at a cost of \$16,270.00, and to seek approval to transfer funds from the Phase 1 Blackmarsh Road Upgrading project to the proposed Phase 2 Blackmarsh Road Upgrading project.

Question called. Motion carried unanimously.

19-02-101 Award Contract for Design Build Services – Fourth Street Construction

Motion – Councillor Fry/Deputy Mayor Locke

RESOLVED THAT approval be granted to award the contract for design build services for the Fourth Street construction project to Pyramid Construction Limited in the amount of \$3,179,451.00 (HST included).

Question called. Motion carried unanimously.

19-02-102 Crosswalk Relocation – Current Location 236 Park Avenue

For the information of the public, the crosswalk in front of Coleman's on Park Avenue will be relocated to Park Avenue at Centennial Street when weather conditions permit (spring/summer 2019).

19-02-103 Winter Maintenance Update

An update on winter maintenance activities was provided.

NEW BUSINESS

19-02-104 Frosty Festival

Members of Council extended thanks and congratulations to everyone involved in making the Frosty Festival a huge success; special thanks to the Frosty Festival Board, volunteers and City staff. The events were well received and attended by the City's residents and residents of neighboring communities.

19-02-105 Northeast Avalon Joint Council (NEAJC)

Councillor Antle provided an update on the last meeting of the NEAJC and advised that the next meeting will be held on February 21. Mr. Crosby and three members of the PC party will be attendance at the Paradise Town Hall.

19-02-106 Project Kindness – Valentine's Day Initiative

Councillor Antle reported that the Project Kindness Valentine's Day initiative was appreciated and had a great response.

19-02-107 Special Olympics in Grand Falls-Windsor

Councillor Fry wished the Special Olympians good luck in their games in Grand Falls-Windsor over the next two weeks. She noted that Grand Falls-Windsor is still looking for volunteers; individuals can visit their website to sign up.

19-02-108 Kinette Club of Mount Pearl

Councillor Fry extended congratulations to the Kinette Club who will be celebrating their 50th anniversary on February 23rd.

19-02-109 Northlands

Mayor Aker stated that the approval of the amendments at today's meeting is the first step. He thanked staff and requested that they be commended for all their hard work in supporting the City in its movement forward.

19-02-110 Mount Pearl-Paradise Chamber of Commerce

Mayor Aker advised that he would be presenting the City's strategic plan at the Chamber of Commerce Annual Outlook Luncheon being held on Wednesday, February 20, 2019.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:20 pm on a motion by Councillor Power and seconded by Councillor Antle.

Chairperson

Human Resources Assistant