



**PUBLIC COUNCIL MEETING MINUTES**  
**September 17, 2019**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on September 17, 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

Jason Silver, Director of Corporate Services  
Gerry Antle, Director of Infrastructure and Public Works  
Mona Lewis, City Clerk  
Catherine Howell, Manager, Development and Planning  
Cassie Pittman, Manager, Marketing, Communications  
and Economic Development

STAFF ABSENT

Steve Kent, CAO <sup>(1)</sup>  
Jason Collins, Director of Community Development

<sup>(1)</sup> CAO Kent arrived when noted.

**Mayor Aker chaired the meeting.**

19-09-626     Adoption of Agenda

Motion – Deputy Mayor Locke/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

19-09-627     Adoption of Minutes

Motion – Councillor Stoyles/Councillor Fry

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

### 19-09-628     Pulmonary Fibrosis Month

Mayor Aker signed a proclamation declaring September as Pulmonary Fibrosis month in the City of Mount Pearl. Members of the Mount Pearl Kinette Club were in attendance. Kinette Donna Cullens spoke on the significance of the proclamation and provided information on the illness.

### 19-09-629     Blood Cancer Awareness Month

Mayor Aker signed a proclamation declaring September as Blood Cancer Awareness month in the City of Mount Pearl. Paul Davis, representing Leukemia & Lymphoma Society of Canada (NL), was in attendance and spoke on the significance of the proclamation and planned events. Della Ryan accompanied Mr. Davis and spoke on the illness and the impact it's had on her life.

### 19-09-630     Sexual Violence Awareness Week

Mayor Aker signed a proclamation declaring September 16 - 20, 2019 as Sexual Violence Awareness Week in the City of Mount Pearl. Nicole Kieley, Executive Director, Sexual Assault Crisis and Prevention Centre, was in attendance and spoke on the significance of the proclamation and provided information on services available. Details on planned events were also presented.

### 19-09-631     Nicholas Smith – ANAVETS Cadet Medal of Merit and Top Senior Cadet

Mayor Aker welcomed Nicholas Smith; on behalf of Council, Councillor Fry extended congratulations to Nicholas on his recent awards. Nicholas outlined what was involved in attaining these accomplishments.

## CORRESPONDENCE

### 19-09-632     Wrongful Conviction Day

Mayor Aker tabled a proclamation declaring October 2 as Wrongful Conviction Day in the City of Mount Pearl.

COMMITTEE REPORTS

INFRASTRUCTURE AND PUBLIC WORKS

19-09-633     Request for Construction Change Order Approval  
Blackmarsh Road Upgrades Phase 2 CPR19020

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the following change order for the Blackmarsh Road Upgrades Phase 2 project be approved:

Fill in and extend storm sewer for a portion of the ditch     \$36,656.93

Question called. Motion carried unanimously.

19-09-634     Request for Consultant (Vigilant Management) Change Order Approval #02  
Kenmount Hill Development – Infrastructure Upgrading CPR18001

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT the following change order for the Kenmount Hill Development – Infrastructure Upgrading project be approved:

RCO #2 (Breakdown):

CP1	Project Coordination (New Lift-station and force main)	\$ 5,000.00
CP2	Project Coordination (New Sanitary Sewer trunk line)	\$13,664.30
CP3	Project Management (Water Reservoir/Tank Repairs)	\$ 5,692.50
CP4	Project Management (Roundabout)	\$18,653.00
CP5	Project Management (Topsail Road Storm Sewer Assessment and Outfall Upgrading) *Bill to CO#1	\$ 0.00

Total     \$43,009.80

AND FURTHER THAT these change orders proceed at an hourly rate with a cap until the scope of work can be confirmed after which time the fees will then be reviewed and recommended as required.

Question called. Motion carried unanimously.

19-09-635     Consultant Fee Increase – DMG Consultants  
Commonwealth Avenue/Sunrise Avenue Upgrades CPR17002

Motion: Deputy Mayor Locke/Councillor Fry

RESOLVED THAT approval be granted of the increase in fees, in the amount of \$182,882.71, for DMG Consultants for the above project as they resulted from the

construction duration being extended from 156 days (in the RFP) to 240 days (construction tender).

Question called. Motion carried unanimously.

19-09-636 Contract Recommendation  
Traffic Light Maintenance TP19004

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT approval be granted to award the contract for Traffic Light Maintenance TP19004 to the lowest qualified bidder, Black and McDonald Limited, for the bid amount of \$142,577.00 (HST included), the annual amount for a three-year contract term.

Question called. Motion carried unanimously.

19-09-637 Capital Works Application - Amendment  
Investing in Canada Infrastructure Program (ICIP) – 2019

Item withdrawn.

19-09-638 Public Works Maintenance Update

Councillor Fry provided an update on public works operations.

19-09-639 Capital Works Update

Councillor Fry provided an update on upcoming capital works projects.

CORPORATE AND COMMUNITY SERVICES

19-09-640 Invoices for Approval

Motion – Councillor Ledwell/Councillor Power

RESOLVED THAT the following invoices be approved for payment:

1.	Murray's Landscaping Services (Landscaping Maintenance August 2019)	\$ 26,450.00
2.	Grand Concourse Authority (T'Rail Resurfacing Claim #3)	\$ 52,981.35
3.	PBER Holdings Ltd (Consulting Services - Glacier, Jul-Aug 2019)	\$ 8,211.00
4.	Eastern Audio (Focus on Youth - 2018 Awards Package)	\$ 5,520.00
5.	Mark's Work Wearhouse (Mount Pearl) (Recreation Clothing Issue)	\$ 6,109.10

6.	Parsons & Sons Transportation (Bus Service - Summer Recreation Program 2019)	\$ 33,890.50
7.	Murray's Landscaping Services (Flower Maintenance Claim #3)	\$ 6,816.63
8.	North Atlantic Petroleum (Dyed Diesel August 2019)	\$ 8,682.99
9.	North Atlantic Petroleum (Regular Gas August 2019)	\$ 8,101.57
10.	Athletica Sport Systems (Goal Frames, Nets & Pads)	\$ 5,533.80
11.	Vigilant Management Inc (PM Services August 2019 - Fourth Street)	\$ 9,162.51
12.	DMG Consulting Limited (Commonwealth Ave upgrades)	\$ 182,882.71
13.	Newfoundland Design Civil Ltd (Phase 1 Bradley/Glendale/St. David's)	\$ 7,847.60
14.	PPM - Provincial Pavement Marking (2019 Street Markings)	\$ 20,090.73
15.	Weir's Construction Ltd (Sunrise Avenue Upgrades Claim #4)	\$ 55,440.03
16.	Vigilant Management Inc (PM Services August 2019 - Progress Billing)	\$ 14,758.92
17.	Vigilant Management Inc (PM Services August 2019 - Blackmarsh Road)	\$ 13,302.05
18.	PPM - Provincial Pavement Marking (Pride Crosswalks)	\$ 8,970.00
19.	Pyramid Construction (Fourth Street Upgrades Claim #5)	\$ 735,476.18
20.	Pyramid Construction (Blackmarsh Road Upgrades Claim #3)	\$ 433,257.00
	TOTAL	\$1,643,484.67

Question called. Motion carried unanimously.

19-09-641 Payment Register

The payment register for the period of September 3 - 13, 2019, totalling \$1,406,033.88, was accepted.

19-09-642 Uncollectible Accounts

Motion – Councillor Ledwell/Councillor Power

RESOLVED THAT approval be granted to write off the balance and remove the following account from the City's records. It was noted that the business has closed, and all collection efforts have been exhausted.

Account No.	Principal	Interest	Other	Total
10328	\$3,840.25	492.48		\$4,332.73
9881	\$1,835.91			\$1,835.91

Question called. Motion carried unanimously.

19-09-643 Tax Deferral – Low Income Earners

Motion – Councillor Ledwell/Councillor Power

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

Account #	Amount Deferred
89	\$ 1,114.74

Question called. Motion carried unanimously.

19-09-644 Tender Award – Supply, Delivery & Install Zamboni Batteries  
Including Watering Systems – Mount Pearl Glacier – TP-19-034

Motion – Councillor Power/Councillor Ledwell

RESOLVED THAT approval be granted to award the contract for the supply, delivery and installation of Zamboni batteries including watering systems – Mount Pearl Glacier (TP-19-034) to the sole bidder, Electro Mechanical, in the amount of \$25,210.00 (HST included).

Discussion: It was requested that the cost of the batteries prior to this contract be provided to Council.

Question called. Motion carried unanimously.

**CAO Kent arrived at 5:30 pm.**

19-09-645     Atlantic Mayors' Congress – Councillor Stoyles

Motion – Councillor Power/Councillor Ledwell

RESOLVED THAT approval be granted, in accordance with the Professional Development and Training Policy, for Councillor Stoyles to attend the Atlantic Mayors' Congress meetings being held in Campbellton, New Brunswick from October 3 – 5, 2019.

Question called. Motion carried unanimously.

19-09-646     2019 / 2020 Season Public Skating

For the information of the public, the start dates for public skating and the pricing are located on the City website.

PLANNING AND DEVELOPMENT COMMITTEE

19-09-647     Order Issued – For Ratification  
Wallken Enterprises Limited - 1161 Topsail Road

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT approval be granted to ratify the Cease and Desist Order issued to the business owner of Wallken Enterprises Limited, located at 1161 Topsail Road, pursuant to Section 109 of the Urban and Rural Planning Act, 2000.

It was noted that the business was operating an RV campground without an Occupancy Permit.

Question called. Motion carried unanimously.

19-09-648     Development Permit List

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT development permits issued for the period of September 3 - 13, 2019 be approved as presented.

Question called. Motion carried unanimously.

19-09-649     Building Permit and Occupancy Permit Lists

Motion – Councillor Antle/Councillor Stoyles

RESOLVED THAT building permits issued for the period of September 3 - 13, 2019, showing a total construction value of \$574,500.00, be approved AND FURTHER THAT the occupancy permit list be accepted as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

19-09-650     TD Tree Days

Deputy Mayor Locke commented on the recent TD Tree Days event that took place at Team Gushue Sports Complex, noting its success and the benefit of the program. Appreciation was extended to all involved - TD staff, volunteers, Conservation Corps, Murray's Landscape Services, and City staff.

19-09-651     Old Placentia Road – Asphalt Replacement

Deputy Mayor Locke noted that the section of Old Placentia Road recently upgraded had been done expeditiously and with minimum disruption to traffic. Appreciation was extended to City staff as well as the contractor.

19-09-652     St. David's Park

Deputy Mayor Locke referred a request from a young resident for the installation of a water fountain at St. David's Park to the Infrastructure and Public Works Committee for consideration.

19-09-653     Community Programs

Councillor Fry provided information on various community organizations and programs (Seniors Independence Group, Walking Program, Reid Centre Gym, Youth Opportunities Fund Foundation). Further information is available on the City's website and social media accounts.

19-09-654     Church of the Good Shepherd Fundraiser

Councillor Fry advised that the Church of the Good Shepherd will be holding a dinner theatre fundraiser on October 5. Further details are available by contacting the Church office.



19-09-655     Bulk Garbage

Councillor Fry encouraged residents to consider donating items still in good condition to the Home Again Furniture Bank rather than putting them to the curb for bulk garbage collection.

19-09-656     Sport Alliance Announcements

Councillor Fry provided information on the following:

Marlins Fundraiser (Ziggy fries), Sobeys, September 21  
Munn Insurance Future Goals Scholarship, deadline September 30  
Bingo Bonanza, Reid Centre, October 18  
Chase the Ace, Mondays, Soccer Clubhouse

Further details are available on the Sport Alliance website.

19-09-657     MerB'ys 2020 Calendar Launch

Councillor Power advised that the NL Beard and Moustache Club recently launched next year's calendar at the Annex.

19-09-658     Heart & Stroke SeeRed Talk

Councillor Power provided information on a recent event hosted by the Heart & Stroke Foundation.

19-09-659     Mount Pearl Blades

Councillor Power commented on the Toronto Maple Leafs' development clinics (held at the Glacier) hosted in conjunction with the Mount Pearl Blades during the team's training camps. Kudos were extended to the Club as well as the Town of Paradise where the training camps were held.

19-09-660     Ministerial Community Supper

Councillor Antle provided information on the supper which is held weekly on Wednesday at Park Place. Councillor Stoyles extended appreciation to the volunteers.

19-09-661     Ross King Memorial Public Library

Councillor Antle encouraged the public to check out the programs at the Library noting that further information is on their website.

19-09-662     Association for the Arts in Mount Pearl (AAMP)

Councillor Ledwell noted that AAMP will be celebrating Arts Week (September 22 - 28) and many activities were planned. Congratulations were extended to Christine Hennebury and other members of the Board. Further details are available at [www.aamp.ca](http://www.aamp.ca).

19-09-663     Knights of Columbus

Councillor Stoyles advised that the Knights of Columbus Fr. J.B. Kent Council will be holding a dinner and bingo on September 18 at St. Peter's Parish Hall.

19-09-664     Family Feud Canada

Councillor Stoyles advised that her family had auditioned for the Family Feud game show.

19-09-665     Rogers

Mayor Aker extended appreciation to Rogers for covering today's meeting as well as for their support of community events such as the Frosty Festival.

19-09-666     Mount Pearl Soccer Hall of Fame

Mayor Aker advised that two new members, David Bailey and Jonathan Kelly, will be inducted into the MPSA Hall of Fame on November 20.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:00 pm on a motion by Councillor Antle and seconded by Councillor Power.

---

Chairperson

---

City Clerk