



**PUBLIC COUNCIL MEETING MINUTES**  
**June 2, 2020**

Minutes of the Regular Meeting of Council held via video conference on June 2, 2020 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

Gerry Antle, Director of Infrastructure and Public Works  
Jason Collins, Director of Community Development  
Cassie Pittman, Acting Director of Corporate Services  
Mona Lewis, City Clerk

STAFF ABSENT

Steve Kent, CAO

**Mayor Aker chaired the meeting.**

20-06-122 Adoption of Agenda

Motion – Councillor Power/Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

20-06-123 Adoption of Minutes

Motion – Councillor Fry/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held May 19, 2020 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

20-06-124 Recreation Month

Mayor Aker signed a proclamation declaring June as Recreation Month in the City of Mount Pearl.

20-06-125 Hidradenitis Suppurativa (HS) Awareness Week

Mayor Aker signed a proclamation declaring June 1 – 7, 2020 as HS Awareness Week in the City of Mount Pearl.

20-06-126 Pride Month

Mayor Aker signed a proclamation declaring June as Pride Month in the City of Mount Pearl.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

CORPORATE SERVICES AND ECONOMIC DEVELOPMENT COMMITTEE

20-06-127 Invoices for Approval

Motion – Councillor Antle/Councillor Power

RESOLVED THAT the following invoices be approved for payment:

1.	Afonso Group Limited (Service to Jet Clean, Video Inspection & Complete Liner Installation- Maple Street)	\$ 7,684.88
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2.	Afonso Group Limited (Service to Jet Clean, Video Inspection & Complete Liner Installation- Penmore Drive)	\$ 7,383.00
3.	Afonso Group Limited (Service to Jet Clean, Video Inspection & Complete Liner Installation- Scammel Crescent)	\$ 8,949.88
4.	City of St. John's (Water Consumption- April 2020)	\$ 217,496.79
5.	Emco Corporation (Manhole Covers Repair & Replacement)	\$ 8,863.28
6.	Harvey & Company Limited (Engine Transmission Service & Inspection)	\$ 5,653.40
7.	North Atlantic Petroleum (Dyed Diesel- Depot- April 2020)	\$ 5,662.39
8.	North Atlantic Petroleum (Propane for Depot April 2020)	\$ 6,977.42
9.	North Atlantic Petroleum (Propane for Depot March 2020)	\$ 7,318.26
10.	North Atlantic Petroleum (Regular Unleaded Gas- Depot- May 2020)	\$ 5,229.16
11.	Vigilant Management Inc. (Kenmount Hill Development-Infrastructure Upgrading Feb 2020)	\$ 5,463.94
12.	Vigilant Management Inc. (Kenmount Hill Development-Infrastructure Upgrading Mar 2020)	\$ 5,936.88
13.	Spartan Fitness (TP-20-001-4 Treadmills)	\$ 38,663.00
14.	Black & MacDonald (Blackmarsh Intersection Pole & Base Replacement -No fault, costs will be recovered through insurance claim TP19-004)	\$ 57,503.48
		\$ 388,785.76

Question called. Motion carried unanimously.

20-06-128 Payment Register

The payment register for the period of May 20 - 28, 2020, totalling \$1,225,717.80, was accepted.

20-06-129 Business & Commercial Property Tax Interest Waived Extension

Motion – Councillor Power/Councillor Antle

RESOLVED THAT approval be granted to extend the waiving of all interest on business tax and commercial property tax until December 31, 2020.

Question called. Motion carried unanimously.

COMMUNITY DEVELOPMENT COMMITTEE

20-06-130 Public Tennis Courts

For the information of the public, a listing of the public tennis courts that have nets and signage installed and ready for use was presented. St. David's Tennis Courts – Club will be operating under restrictions, no lessons.

20-06-131 Development Permit Listing | May 18 - 29, 2020

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT development permits issued for the period of May 18 - 29, 2020 be approved as presented.

Question called. Motion carried unanimously.

20-06-132 Building Permit and Occupancy Permit Lists  
May 19 - 29, 2020

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT building permits issued for the period of May 18 - 29, 2020, showing a total construction value of \$454,000.00, be approved and further that the occupancy permit list be accepted as presented.

Question called. Motion carried unanimously.

20-06-133 Order Issued – For Ratification  
Brownings Holdings – Hotel Mount Pearl

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT, pursuant to Section 109 of the Urban and Rural Planning Act 2000, approval be granted to ratify the Order issued to Brownings Holdings, owner of Hotel Mount Pearl, 1 – 5 Park Avenue, to have a clean-up plan in place by June 1, 2020 for the demolition of the structure.

Question called. Motion carried unanimously.

20-06-134 Order Issued – For Ratification  
Fast and the Furriest, 815 Topsail Road

Motion – Deputy Mayor Locke/Councillor Fry

RESOLVED THAT, pursuant to Section 109 of the Urban and Rural Planning Act 2000, approval be granted to ratify the Order issued to the owner of Fast and the Furriest to cease and desist all operations related to animal grooming at 815 Topsail Road.

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

20-06-135 Contract Recommendation – TP20-023  
2020 Asphalt and Concrete Services

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the 2020 asphalt and concrete services contract, TP-20-023, to the lowest qualified bidder, Modern Paving Limited, for the bid amount of \$417,047.50 (HST included). The cost is within budget.

The work involves a variety of road restoration work, asphalt pavement patching, asphalt overlay, asphalt and concrete curb replacements and concrete sidewalk/sidewalk crossing replacements.

Question called. Motion carried unanimously.

20-06-136 Contract Recommendation – RFP-20-007  
Professional Consultant Services for Smart Accessible Playground

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT in response to the Request for Proposals (RFP) for professional consultant services for a smart accessible playground, approval be granted to enter into negotiations, for the purposes of procuring a contract, with Tract Consulting Inc. as the highest compliant proponent. The proposal submission price was \$73,163.00 (HST included).

The total budget for the smart accessible playground project is \$500,000.00 and this contract is for the consultant services portion and is within budget.

Question called. Motion carried unanimously.

20-06-137 Newfoundland Power (NFP) Application for Permit  
Proposed Upgrading for 2020  
Smallwood Drive, Blossom Avenue and Park Avenue

Councillor Ledwell presented the background information on the request by NFP for a permit for upgrading infrastructure on Smallwood Drive, Blossom Avenue, and Park Avenue. The capital application by NFP notes this power distribution feeder (that is proposed for upgrade) is “one of the worst-performing feeders on Newfoundland Power’s distribution system”. Also, it was originally constructed in the late 1960s and currently serves approximately 1,472 customers. This feeder starts at the Glendale Substation (at the corner of Old Placentia Road/Emerald Drive), and feeds customers on Old Placentia Road toward Commonwealth, Commonwealth to Smallwood Drive, Smallwood to Park Avenue, Park to Commonwealth, Commonwealth toward Topsail Road, and parts of Mount Carson Avenue. The report states “the deteriorated condition . . . makes its highly likely that there will be further failures.”

Smallwood Drive

The upgrades proposed include feeder replacement, including 37 new poles (which includes 16 additional streetlights). The streetscape will change to include the additional light poles, higher poles, and feeder wiring being moved from the existing location at the rear of the yards to the street side for improved and safer access for repairs and maintenance.

Park Avenue and Blossom Avenue

The upgrades proposed include feeder replacement, including new poles and lighting. There are no streetscape changes proposed.

Motion – Councillor Ledwell/Councillor Power

RESOLVED THAT approval be granted to issue a permit to Newfoundland Power to carry out the proposed project for Smallwood Drive, Blossom Avenue, and Park Avenue.

Discussion: Councillor Stoyles advised of her discussions with 15 – 17 residents who felt their concerns weren't addressed. She indicated that she'd not previously seen a circumstance where a proponent, such as NF Power, submit a proposal and contact each of the residents. She acknowledged that change isn't easy but is necessary. She referenced cost-sharing discussions that had taken place with NF Power. Residents should have been notified by City staff and in a public forum. She recognized the improvements and possible cost savings as a result of LED lighting. She also expressed disappointment of not being advised of the outcome of a Committee of the Whole meeting that she was unable to attend (where this issue was discussed, and a consensus was reached to approve the project). Councillor Stoyles advised she would not be supporting the application in support of the residents.

Councillor Power acknowledged the report by NF Power and their efforts in reaching out to the residents on Smallwood Drive. She recognized that it was a big change for some residents who will now have a pole on the front of their property, as well as a continued secondary feeder on the poles at the rear of their property. She believed there was some miscommunication and recognized the inability to hold a public consultation when there was a change of this nature. She spoke with several residents since the last meeting and felt confident that she got feedback from many that were more receptive than they initially were. She was still concerned at the way they were advised that this change was happening, and she empathized with them. For the most part, residents have accepted the project. NF Power and City staff are willing to work with residents to ensure impact to their properties is minimal. She noted that the upgrades were essential, increased safety for NF Power employees by having poles more accessible, would improve the overall coverage and the increased reliability to services in this area and other areas. Therefore, she would be supporting the application. During the process, as NF Power moves forward with the upgrade, residents were welcome to reach out to Council to ensure a smooth transition for the residents.

Councillor Antle advised he would be supporting the application. He too contacted many residents and acknowledged their concerns. He noted the response by NF Power to address the residents' concerns. He also commented on potential damage to properties should the upgrading have taken place at the rear of the properties. He indicated that moving forward, consideration will be given to improving the communication with residents.

Councillor Fry acknowledged that she appreciated the residents concerns and the impact of the change for those who've been there for many years. In this case, the upgrade was needed, and infrastructure upgrades required. She recognized that all of the options have been explored and there were many reasons why this project was a good thing.

Deputy Mayor Locke commented on the points raised by members of Council and noted the risk for power outages, not just for Smallwood Drive residents but a significant number of other properties, should the project not proceed. He noted that NF Power followed the same process as always when working with the City on applications. Staff considered the application from a technical, engineering perspective. He advised that when there was a significant change to streetscape, there should be more communication with the residents. He acknowledged that NF Power did take the residents' concerns into consideration, the improved service, and the enhanced lighting. He voiced his support of the project for these reasons and for those presented by Council.

Mayor Aker extended appreciation to NF Power for contacting the residents and addressing concerns. He tasked the IPW Committee to develop a process that provides for public engagement when there were esthetically different changes.

Councillor Ledwell acknowledged the discussions and indicated support by the IPW Committee to keep Council informed of future major projects.

Question called. Motion carried with Councillor Stoyles voting against the motion.

20-06-138 Public Works Update

Councillor Stoyles provided an update on public works services.

20-06-139 Capital Works Projects Update

Councillor Stoyles provided an update on various projects.



NEW BUSINESS

20-06-140 Pride Month Proclamation

Councillor Power spoke of her support of the proclamation, noting that organizers are planning activities for the month as well as virtual meetings. She commented on the City's picnic tables and benches painted in the rainbow colors of the Pride flag.

20-06-141 Bulk Garbage

Councillor Power advised that the bulk garbage collection will commence in Level 2 by appointment, further details will be provided on the City website as well as social media platforms.

20-06-142 Memorial Ride – Chad Pitcher

Councillor Power noted the success of the motorcycle ride in memory of Chad Pitcher and extended thanks to the organizers.

20-06-143 Paws for MS Walk

Councillor Power advised that the annual Paws for MS NL Walk will be held virtually on June 7<sup>th</sup>. Support can be shown by sharing a photo of you and your dog as well as contributing to a donation box set up at Critters N' Things. Councillor Antle noted that funds collected stay in the province and would support the research efforts of Dr. Michelle Ploughman.

20-06-144 Coleman's – Donation

Councillor Power extended appreciation to Coleman's for the contribution of \$10,000 in gift cards to the Community Food Sharing Association.

20-06-145 Congratulations – Graduates

Councillor Antle extended congratulations to all graduates – high school and post-secondary.

20-06-146 Reminder to Pet Owners

Councillor Antle advised that the trail system is being well utilized and reminded owners to pick up after their dogs. Deputy Mayor Locke suggested additional signage providing reminders may be helpful.

20-06-147 Tax Payments

In response to Councillor Antle, Acting Director Pittman advised that in addition to making tax payments online, payments can be made in-person at all financial institutions. She noted that City Hall will be open for appointments on June 8 and when alert level 2 is reached, will open for walk-in service.

20-06-148 Maintenance – Bridges

Deputy Mayor Locke extended appreciation to staff for their efforts in painting the rails on some of the bridges along the trails.

20-06-149 T’Railway – Winston Avenue

Deputy Mayor Locke advised that staff are following up on a report of oily residue in the grass/foilage area located at the bottom of Winston Avenue.

20-06-150 2021 Team NL Canada Games Chef Team

Councillor Stoyles extended congratulations to the recently announced members of the Team NL Chef Team for the 2021 Canada Summers Games. (Gary Martin – Chef de Mission; Tom Godden and Brenda Congram – Assistant Chefs and Karen Sherriffs – Chef Team Advisor.

20-06-151 Community Garden Support Program

Councillor Stoyles provided information on the Community Garden Support Program. She commented on the success of the Masonic Park garden.

20-06-152 Millennium Express

Councillor Stoyles extended appreciation to Millennium Express for providing a grocery delivery service for seniors and other vulnerable residents during this time of social distancing and self-isolation.

20-06-153 Appreciation

Councillor Ledwell extended appreciation to Public Works and Community Services staff who have been engaged in litter collection and maintenance activities.

20-06-154 Odor from Nearby Farms

Councillor Fry advised of inquiries from residents regarding the odor from nearby farms and whether it could be addressed. It was noted that the matter has been raised in the past, staff will research the outcome of previous discussions.

20-06-155 Congratulations – Shelley Ann O'Brien

Councillor Fry extended congratulations to Shelley Ann O'Brien of the Mount Pearl-Paradise Skating Club on receiving the 2020 Skate Canada Volunteer of Excellence award.

20-06-156 Chad Pitcher – Memorial Ride

Mayor Aker extended appreciation to the organizers, noting that it was a wonderful tribute to Chad and to his family.

20-06-157 Federal Funding Announcement

Mayor Aker commented on the recent funding announcement which will be delivered through the federal gas tax fund.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:45 pm on a motion by Councillor Ledwell and seconded by Councillor Antle.

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Chairperson

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City Clerk