



**PUBLIC COUNCIL MEETING MINUTES
May 17, 2016**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on May 17, 2016 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Councillor Lucy Stoyles
Councillor Dave Aker
Councillor Andrew Ledwell

STAFF PRESENT

Michele Peach, Chief Administrative Officer
Stephen Jewczyk, Director, Planning & Development
Jason Silver, Director, Corporate Services
Gerry Antle, Director, Infrastructure & Public Works
Jason Collins, Director, Community Services
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Deputy Mayor Jim Locke
Councillor John Walsh
Councillor Paula Tessier

Mayor Simms chaired the meeting.

16-05-290 Adoption of Agenda

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

16-05-291 Adoption of Minutes

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the minutes of the public meeting held on May 3, 2016 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING/ACTION REPORT

No business arose from the previous meeting. The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

None presented.

COMMITTEE REPORTS

CORPORATE & COMMUNITY SERVICES COMMITTEE

16-05-292 Invoices for Approval

Motion – Councillor Stoyles/Councillor Ledwell

1.	Atlantic Business Interiors (Furniture)	\$ 5,720.77
2.	City of St. John's (Robin Hood Bay Landfill March)	\$ 38,206.95
3.	City of St. John's (Water Consumption for Jan, Feb, Mar)	\$ 326,101.36
4.	Hitech Communications (AVL Rental Service Fee)	\$ 6,402.18
5.	LSW Wear Parts Limited (Plow Blade)	\$ 7,342.74
6.	Redwood Construction Ltd. (St. David's Park Progress Claim#1)	\$ 68,420.74
7.	Modern Paving Limited (2011 Street Upgrading PP #6)	\$ 288,422.52
8.	Mount Pearl Seniors Independence (Fitness Programs)	\$ 6,186.85
		\$ 746,804.11

Question called. Motion carried unanimously.

16-05-293 Tax Deferrals – Low Income Earners

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the following tax deferrals be approved in accordance with the policy for low income earners:

Account #	Amount Deferred
272	\$2,640.46
4112	\$1,055.00

Question called. Motion carried unanimously.

16-05-294 Glacier Arena
HST Account

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT approval be granted to transfer the HST account for the Glacier to the City of Mount Pearl as of January 1, 2016 which is the date the City commenced including the Glacier on the City's HST returns.

Question called. Motion carried unanimously.

16-05-295 Gas Tax Funding Allowance
Parks, Playground Replacement

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT approval be granted to submit the Capital Investment Applications to the Department of Municipal Affairs for Gas Tax Funding for the following:

<u>Project</u>	<u>Estimated Cost</u>
Parks, Playground Equipment	\$ 140,000

Question called. Motion carried unanimously.

16-05-296 Mount Pearl Marlins & Summit Synchro
Swim Clubs Competitions Results

Congratulations were extended to members of the Marlins and Summit Synchro Swim Teams in recognition of their success at recent meets.

16-05-297 MS Walk - Sunday, May 29

For the information of the public, the annual MS Walk takes place on May 29 with three (3) rest stops set up surrounding the walk site located at O'Donel High School. A certificate of liability insurance, naming the City as insured during the event has been received from the MS Society of Canada.

16-05-298 Event Blitz
20 Minute Makeover / Waterford River Clean Up / Volunteer Appreciation

The 20-Minute Makeover and the Waterford River Clean Up has been combined and the kick off for the anti-litter campaign will be held on Saturday, May 28 at City Hall from 10:00 AM to 12:00 noon. On this day the focus will be the clean up along the Waterford River as well as direction given for the other sites of concern.

Businesses, residents and community groups were asked to meet at City Hall at 9:30 AM to register and receive supplies. Volunteers are invited to join members of Council for an appreciation BBQ at Centennial Park immediately following the cleanup - starting at 12 noon.

The 20-Minute Makeover will run through May and June.

16-05-299 Scholarships

(i) Municipal Assessment Agency
Clar Simmons Scholarship Award

Information from the Municipal Assessment Agency was presented on the eligibility criteria for the Clar Simmons Scholarship Award and will be forwarded to staff.

(ii) Municipalities Newfoundland and Labrador (MNL)
James Hiscock Memorial Scholarship

Information was presented by the MNL on the eligibility criteria for the James Hiscock Memorial Scholarship and will be forwarded to staff.

16-05-300 Play ON (Hockey Night in Canada)

For the information of the public, Play ON, 4-On-4 Hockey, will take place on Saturday, June 25 and Sunday, June 26 along Old Placentia Road between Ruth Avenue intersection and Smallwood Drive Extension intersection. Old Placentia Road will be closed starting on Thursday, June 23 to Sunday evening, June 26. As the event date draws closer, more information will be provided.

Discussion: Councillor Stoyles referenced concerns with last year's event noting the complaints she received from the community (businesses, churches and residents). She did not support holding the event in this location.

It was noted that discussions have been held with the area businesses and churches in an effort to address last year's concerns. It was acknowledged that this is not a City's event and there is an account of associated costs.

Reference was made to the Ruth Avenue Overpass closure and its potential impact on traffic flow. It was asked if it was possible for the organizer to set up Friday morning rather than Thursday evening.

16-05-301 Glacier Arena
Noon Skating – Monday to Friday

For the information of the public, the noon skating at the Glacier is provided free for the week of Monday, May 16 to Friday, May 20 (finished for the season).

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

16-05-302 Request for Change Order Approvals – Gymnastics Facility

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the following change orders for the Gymnastics Facility project be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Price	\$3,195,170.00
CO12	Change interior Frame Paint Color	\$275.00
CO13	Winterization Costs (January 31 to February 29) – Contractual Agreement	\$31,117.26
CO14	Credit Associated with 2 nd winter change order payment discrepancy.	\$-152.70
CO15	Supply and Install Exterior Illuminated Sign (8'H x 20' W) with electrical connections, permit, lift, etc. (refer to rendering)	\$18,031.20
	Subtotal of Change Orders(HST Excluded)	\$66,970.62
	New Contract Price (HST excluded)	\$3,262,140.59
	Total Contract HST	\$424,078.28
	Revised Contract Price (HST Included)	\$3,686,218.90

Question called. Motion carried unanimously.

16-05-303 Request for Change Order Approval – Team Gushue Phase 2

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the following change order for the Team Gushue Phase 2 project be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Price	\$227,223.00
#01	Team Gushue Phase 2 Bleachers and Canopy add-on	\$14,610.00
	Subtotal	\$241,833.00
	Total Contract HST	\$31,438.29
	Revised Contract Price (HST Included)	\$273,271.29

Question called. Motion carried unanimously.

16-05-304 Bridge/Culvert Assessments - Engineering Fee Proposal

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to engage SNC-Lavalin to undertake assessments of the bridge/culvert structures at a cost of \$26,555.00 (plus HST).

Question called. Motion carried unanimously.

16-05-305 Contract Recommendation – Tennis Complex Upgrades TP-16-015

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to award the tender for the Tennis Complex Upgrades to the lowest qualified bidder, Modern Paving Ltd., for the bid amount of \$271,925.46 (HST Included).

Discussion: It was noted that work involves the removal of three existing tennis courts at the corner of First Street and Ruth Avenue and the reinstallation of two new courts and an expanded viewing area complete with new aluminum bleachers.

It was clarified that the netting will not be placed on the fence in an area that will cause reduced sight lines. It was also noted that this contract is separate from the St. David's Redevelopment project.

Question called. Motion carried unanimously.

16-05-306 Project Updates

Project updates were provided as follows:

Project	Project Description
Gymnastics Facility (Campia)	Approximately 99.6% complete; substantial completion certificate was issued May 11, 2016. Deficiencies being addressed.

Reid Centre Interior Renovations	Project has started; approximate substantial completion date is August 12, 2016.
Team Gushue Fieldhouse Demolition	Project has started; approximate completion date is June 30, 2016.
The Annex Renovation Project	Project has started; approximate completion date is September 16, 2016
Team Gushue Phase 2	Project has restarted for 2016 season; approximately 40% complete; estimated completion end of June
St. David's Park Redevelopment	Approximately 3.5% complete; approximate substantial completion date is August 1, 2016.
Old Placentia Road Sidewalk – Nelder Drive to Donovans Business Park Entrance.	Approximately 50% complete. Approximate completion date is May 20, 2016. (Connect sidewalk to trail)

16-05-307 Public Works Maintenance Updates

Maintenance updates were provided on roads, fleet, parks and UTM.

Council was advised that there doesn't appear to be an increase in bulk garbage, however, data is being compiled and will be shared with council when available.

It was clarified that water leak repairs are given priority due to the associated cost to the City; however, the IPW Committee was requested to review the policy given the number of outstanding sewer line repairs.

PLANNING AND DEVELOPMENT COMMITTEE

16-05-308 Request for Proposals (RFP) – Community Profile

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT approval be granted to proceed with the RFP for the Community Profile AND FURTHER THAT a report of the performance metrics required to determine the effectiveness of the City's economic development initiatives be prepared by staff.

Question called. Motion carried.

16-05-309 Proposed Mount Pearl Development Regulation Amendment Community Gardens

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the Mount Pearl Development Regulation 2010 Amendment No. 53, 2016 be adopted as presented.

Discussion: The amended development regulations now includes community gardens as a use, outlines the conditions for that use, and adds community gardens as a permitted use in certain zones.

Question called. Motion carried unanimously.

16-05-310 Rear Extension to Single Family Dwelling – 50 Scammell Crescent

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT a development application to construct an extension to the rear of the dwelling at 50 Scammell Crescent requiring a variance to the rear yard depth be approved and a Development Permit be issued subject to the proposal meeting the conditions of the Development Regulations, Building Regulations, Inspection Services and Planning Division.

Question called. Motion carried unanimously.

16-05-311 Rear Lot Line Fences – 43 & 45 Pollux Drive

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT approval be granted to construct a 2.44m high privacy fence along the rear lot lines of 43 and 45 Pollux Drive subject to the requirements of the Mount Pearl Fence & Retaining Wall Regulations.

Question called. Motion carried unanimously.

16-05-312 2015 National Building Code

For the information of the public, the National Building Code of Canada 2015 and its ancillary codes shall now apply to the Mount Pearl planning area.

16-05-313 Parkdale Ridge Condominium Development

An update on the status of outstanding items for the above noted development was provided. The developer has been given notice that the work is to be completed by the end of June 2016 or Council will call in the securities and complete the work before the end of the summer.

16-05-314 Conservation Corp of Newfoundland & Labrador – Green Team

The City's application for a Green Team has been approved and the primary focus will be to design and create new community gardens in designated areas around the city. The team will start on July 4 and finish August 19.

16-05-315 2016 Free Gardening Workshop

For the information of the public, a free gardening workshop, hosted by Tim Walsh of MUN Botanical Gardens, will be held on May 30 at Park Place, 7:00 – 9:00 pm. Further details are available on the City’s website.

16-05-316 Notice of Motion
Amendment – Mount Pearl Development Regulations

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988 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 Mount Pearl Development Regulations 2010 that, if enacted, will:

1. In section 2 – Definitions, revise the definitions of “Patios” and “Decks”
2. In section 6 – General Development Standards, under Subsection 6.35 Residential Patios, Decks, Balconies, and Verandas, add conditions that regulate the construction of roofs, patios and decks.

The purpose of this proposed amendment is to allow and regulate the construction of roofs over patios and decks in the rear yards of homes.

16-05-317 Development Permits

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT development permits issued for the period of May 2 – 13, 2016 be approved as presented.

Question called. Motion carried unanimously.

16-05-318 Building Permits

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT building permits issued for the period of May 2 - 13, 2016, showing a total construction value of \$2,617,600.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

16-05-319 Focus on Youth Awards

Members of council extended congratulations to all nominees and winners of the Focus on Youth Awards, in particular, the Female and Male Youth of the Year, Victoria Jackman and Michael Howse. Appreciation was extended to the 2014 Youth of the Year, Noubahar Hasnain and Harrison Latham, for their efforts

during this past year. Appreciation was also extended to Community Services staff, in particular, Garry Fraser.

16-05-320 Police and Peace of the Year Awards

Councillor Stoyles extended congratulations to Municipal Enforcement Officer, Danielle Greavette, on being selected as one of three finalists for the Peace Officer of the Year Award. The 2016 winners will be announced at an awards event on May 27, 2016 at the Manuel's River Hibernia Interpretation Centre.

16-05-321 Transportation Plan – Public Session

Councillor Aker advised that the public is invited to participate in the transportation plan by providing input in how we move through the City (roundabouts, walking trails, new intersections, bike lanes). The session will be held on May 24 at 7:00 pm, Mount Pearl Senior High School.

16-05-322 284 Marconi Sea Cadets

Councillor Ledwell extended congratulations to the Marconi Sea Cadets on their recent Annual Ceremonial Review.

16-05-323 Municipalities Newfoundland & Labrador (MNL) – Symposium

Mayor Simms provided an update on the MNL Symposium recently held in Gander.

16-05-324 Masonic Park Nursing Home

Mayor Simms provided an update of a meeting with the Minister of Health & Community Services regarding the closure of the Masonic Park Nursing Home noting that it did not appear the decision to close the facility would change. He suggested that a meeting be held with the Masonic Park Board to discuss possible uses for the building.

16-05-325 Rotary Club of Waterford Valley

Mayor Simms advised that he was making a presentation to the Rotary Club on the Waterford River, the impending study, improvements and phase 2.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:20 pm on a motion by Councillor Ledwell.

Chairperson

Deputy City Clerk