

**PUBLIC COUNCIL MEETING MINUTES**  
**December 3, 2013**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on December 3, 2013 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms  
Deputy Mayor Jim Locke  
Councillor Lucy Stoyles  
Councillor John Walsh  
Councillor Paula Tessier  
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

**Mayor Simms chaired the meeting.**

13-12-784     Adoption of Agenda

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

13-12-785     Adoption of Minutes

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT the minutes of the public meeting held on November 19, 2013 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

13-12-786     Presentation – Men’s Ministry, Solid Rock Wesleyan Church

Council welcomed the following members of the Solid Rock Wesleyan Church:

Senior Pastor, Stuart Marples  
Head of the Prayer Ministry, Winston Brown  
Representative of Executive of Men’s Ministry, Simon Mac Innis

A presentation of a City map was made to Council as a token of their prayers, mandate and ministry.

### CORRESPONDENCE

None presented.

### COMMITTEE REPORTS

#### COMMUNITY SERVICES COMMITTEE REPORT

13-12-787     Mount Pearl Lions Club Santa Claus Parade

The annual Santa Claus Parade takes place on December 7, 2013 starting at 10:00 AM from Mount Pearl Intermediate School, Ruth Avenue, onto Park Avenue, ending at Mount Pearl Square. For more information, please call Ches Pike, Mount Pearl Lions Club, at 782-7453. It was also noted that the parade will turn left at the intersection of Topsail Road/Park Avenue, accessing the Square parking lot from the upper entrance. Parade watchers are encouraged to bring along a nonperishable food item and/or a cash donation as ScotiaBank will match the funds raised.

13-12-788     Tree Lighting Ceremony

The annual Tree Lighting Ceremony takes place on December 7, 2013, 6:30 pm Mount Pearl City Hall, Centennial Park. For further information, please call the Community Services Department at 748-1008.

### CORPORATE SERVICES COMMITTEE

13-12-789     Tax Deferral – Low Income Earner

Motion – Councillor Aker/Councillor Tessier

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

Account #	Amount Deferred
370	\$ 704.67

Question called. Motion carried unanimously.

13-12-790 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Farrell's Excavating Limited (CP1 2012 Upgrading Sagona Ave)	\$ 51,837.10
2.	Avalon Coal Salt & Oil (Road Salt)	\$ 237,200.81
3.	Bae Newplan Group Limited (Park Ave Flow Monitoring)	\$ 7,797.00
4.	Bae Newplan Group Limited (2013 Watsys Model Update)	\$ 7,300.00
5.	City of St. John's (St. John's Regional Fire Dept)	\$ 342,526.10
6.	City of St. John's (Water Consumption Oct 2013)	\$ 259,725.48
7.	Frontline Paintball Inc. (Tables for Glacier)	\$ 5,220.60
8.	Grand Concourse Authority (Dog Park Relocation Expenses)	\$ 82,501.83
9.	Kelloway Construction Ltd. (Cleaning Services Oct 2013)	\$ 16,432.05
10.	Marco Services Ltd. (CP3 Payment # 18 Multiplex)	\$ 1,977,907.52
11.	Modern Heavy Civil Ltd. (Street Upgrading)	\$ 179,307.68
12.	Russell's Land Design (Landscaping Maintenance)	\$ 6,554.00
13.	Russell's Land Design (New Fence )	\$ 21,300.50
14.	Stantec (Hazardous Bldg. Materials Assessment Smallwood Fieldhouse)	\$ 5,085.00
15.	Metrobus Transit (Service Cost)	\$ 85,659.82

16.	Weirs Construction Ltd. (2011 Street Upgrading CP3)	\$ 149,022.84
	Total	\$ 3,435,378.33

Question called. Motion carried unanimously.

INFRASTRUCTURE & PUBLIC WORKS COMMITTEE

13-12-791 Tender Award – Tilt Trailer

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to award the tender for the supply of a tag-along industrial tilt trailer to the lowest, qualified bidder, Atlantic Trailer, in the amount of \$17,750.04 (HST included).

Question called. Motion carried unanimously.

13-12-792 Multiplex - Update

An update on the Multiplex was provided. Appreciation was extended to City staff, prime contractor Marco Services Limited, and prime consultant BAE Newplan Group Limited, for their progress to date.

13-12-793 Winter Maintenance

The salt usage statistics were presented as follows:

Salt Usage		
Year to Date (YTD)	6,303.52 tonnes	\$638,735
To Date in November	102.96 tonnes	\$10,432

Maintenance on equipment is ongoing.

13-12-794 Community Collaborative Rain, Hail and Snow Network

Council was advised that the Infrastructure & Public Works Department has registered with the Community Collaborative Rain, Hail and Snow Network (CoCoRaHS) which is a non-profit, community-based network of volunteers who measure and map precipitation. A gauge will be installed in front of the Municipal Depot to record snowfall accumulation.

13-12-795 Playgrounds

An update on playground repairs was provided.

13-12-796     Cutting Back of Brush – Trails Adjacent to Riverbank

Work is completed for the season.

PLANNING AND DEVELOPMENT COMMITTEE

13-12-797     Application for Building Extension – Discretionary Use  
First United Church  
221 Park Avenue

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT subject to Regulation 4.5, Discretionary Powers, the application by First United Church, to extend the existing building, complete interior renovations, consolidate land and complete associated site work at 221 Park Avenue be approved and a development permit be issued subject to the following conditions:

1. St. John's Regional Fire Department conditions;
2. City Inspector's conditions;
3. Provision of required additional on-site parking;
4. Engineering Services conditions; and
5. The development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

13-12-798     Proposed Building Extension and Consolidation  
Discovery Holdings Limited (Operating as Infiniti Car Dealership)  
912-924 Topsail Road

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT an application by Discovery Holdings Limited to demolish the entire one storey west portion of the existing building, construct a two storey building extension with a floor area of 834 m<sup>2</sup> to replace the demolished area, and renovate the existing two storey east portion of the building at 912-924 Topsail Road to accommodate a combined Automotive Sales and Commercial Garage Use be approved and a development permit issued subject to the following conditions:

1. St. John's Regional Fire Department conditions.
2. City Inspector's conditions.
3. Submission of the completed Landscaping Cost Estimate Form and Landscaping Deposit.
4. A vehicle display in the front yard is proposed as per the submitted plan. The City requires the grades of the proposed display area. The City needs to clarify

if the display is at grade or elevated. The location of the display shall not impede upon the sight lines of vehicular traffic using Farrell Drive.

5. Further detailed information is required on the proposed Pylon Sign illustrated on the submitted Site Plan.
6. An agreement shall be signed to address the joint access and servicing between the two separate parcels of 912-924 and 926-932 Topsail Road.
7. Engineering Services conditions.
8. With the exception of the building location, the development shall meet Mount Pearl Development Regulations 2010.

Discussion: It was clarified that there will be no rear door accesses to the building; however, there will be some parking at the rear. In addition, the current access to the east of the property will be closed.

Question called. Motion carried unanimously.

13-12-799      Development Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT development permits issued for the period of November 18 - 29, 2013 be accepted as presented.

Question called. Motion carried unanimously.

13-12-800      Building Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT building permits issued for the period of November 16 - 29, 2013, showing a total construction value of \$355,100.00, be approved as presented.

Discussion: Members of council discussed the permit issued for the driveway/curb cut down at 13 Pinware Crescent. It was noted that the permit was issued as it was in compliance with the development regulations. It was clarified that an appeal has been received and as a result the permit has been revoked until the appeal has been heard. Discussion also ensued regarding the length of time it may take to have the appeal heard and Council's concerns with that process. It was suggested that a review of the subdivision regulations in relation to driveways may be beneficial.

Question called. Motion carried unanimously.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

13-12-801     Regional Water Services Committee

The Regional Water Services Committee is scheduled to meet on December 4<sup>th</sup>. The most recent report shows that water level for Bay Bulls Big Pond is holding level.

13-12-802     Northeast Avalon Regional Economic Development Board

The Board met on November 20, 2013. At that time, Mr. Ken Kavanagh, tendered his resignation as Director and Chair of the Board effective November 29, 2013. The difficulties being encountered by this Board were acknowledged. It was further indicated that the Board will remain in place for another 90 days.

13-12-803     Powers Pond Siltation

The following update was provided:

- City of St. John's officials have been monitoring the site and implemented the appropriate ESC (erosion and sediment control) measures that were indicated in the approved site plan as well as being in contact with DFO. DFO is satisfied with the action taken.
- Stop work order has been lifted.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

13-12-804     Snow Clearing Regulations  
Effective December 1, 2013

Residents are advised that the snow clearing regulations are in effect from December 1, 2013 to March 31, 2014, as follows:

***Section 3: Minimum Fine - \$30.00***

No vehicle is permitted to be parked on any street within the City from December 1 to March 31 each year, both days inclusive, between the hours of 1:00am and 8:00am.

***Section 4: Minimum Fine - \$30.00***

No vehicle is permitted to be parked on any street within the City during a storm and for 12 hours thereafter.

***Section 5:***

Any unattended vehicle parked upon any street contrary to these regulations may be removed and impounded at the owner's expense.

***Section 6: Minimum Fine - \$30.00***

From December 1 to March 31 each year, both days inclusive, no person shall shovel, plow, blow or cause to be shoveled, plowed or blown, any residue snow from a driveway or parking lot onto any street or sidewalk in the City.

13-12-805 “Safey Snowplow” Winter Safety Program

The City’s new “Safey Snowplow” program was launched today, December 3, 2013 at 12:00 noon at Newtown Elementary School. This snowplow and winter safety awareness initiative is designed to keep children safe around snow clearing equipment and during winter play.

Reference was also made to the sideguards installed on City equipment as another safety measure.

NEW BUSINESS

13-12-806 Emergency Preparedness

Councillor Tessier encouraged residents to be prepared in the event of a power outage or other emergency.

13-12-807 Metrobus Transit

Councillor Tessier extended congratulations to the St. John’s Transportation Commission on their official opening of the Metrobus Transit Facility.

13-12-808 Mount Pearl Senior High – Drama Production

Deputy Mayor Locke advised of the production of “How the Grinch Stole Christmas” by MPSH on December 11, 7:00 PM. He also noted that the school intends to place an entry in the Santa Claus Parade.

13-12-809 Retirement – Superintendent June Layden

Councillor Stoyles acknowledged Superintendent Layden’s retirement and extended appreciation for her involvement with community policing in Mount Pearl.

13-12-810 Condolences – Gloria Fry

Councillor Stoyles extended condolences to the family and friends, in particular, Inez Johnston, on the passing of long-time resident Gloria Fry.



13-12-811 Alleged Business – Rear of Mount Pearl Square

Councillor Stoyles advised of an alleged business (snow & ice control) operating at the rear of Mount Pearl Square. She commented on the number of complaints from neighbouring property owners and put forth the position that the business should be closed. The Director of Planning & Development advised that the complaint is currently under investigation.

13-12-812 Safety Snowplow Campaign Launch

Councillor Walsh also commented on the launch of the snowplow and winter safety awareness program and extended congratulations to Nathan Elliott, the winner of the snowplow naming/design contest. He also extended appreciation to staff on this initiative.

13-12-813 Condolences – Judy Kennedy

Councillor Walsh extended condolences to the family and friends on the passing of long-time resident Judy Kennedy.

13-12-814 Santa Claus Parade

Councillor Ledwell extended appreciation to the Mount Pearl Lions Club, the organization responsible for organizing and hosting the Santa Claus Parade for many years.

13-12-815 North East Avalon Regional Plan

Mayor Simms advised of a recent meeting with the Minister of Municipal Affairs and other Mayors of the northeast Avalon regarding the above noted plan. He advised that there will be an oversight committee (consisting of the Mayors) and chaired by the Minister. It is proposed that Municipalities Newfoundland & Labrador be the “project manager”. Further details will be presented as they become available.

13-12-816 Federation of Canadian Municipalities (FCM) Board Meetings

Mayor Simms provided an update following his recent FCM Board meeting, noting that one of the topics discussed was affordable housing.

ADJOURNMENT

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

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Chairperson

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Deputy City Clerk