



**PUBLIC COUNCIL MEETING MINUTES  
July 14, 2015**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on July 14, 2015 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms  
Deputy Mayor Jim Locke  
Councillor Lucy Stoyles  
Councillor Paula Tessier  
Councillor Dave Aker  
Councillor Andrew Ledwell

STAFF PRESENT

Stephen Jewczyk, Director, Planning & Development  
Jason Silver, Director, Corporate Services  
Gerry Antle, Director, Infrastructure & Public Works  
Jason Collins, Director, Community Services  
Gail Sexton, Human Resources Assistant

MEMBER ABSENT

Councillor John Walsh

STAFF ABSENT

Michele Peach, Chief Administrative Officer  
Mona Lewis, Deputy City Clerk

**Mayor Simms chaired the meeting.**

15-07-445 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

15-07-446 Adoption of Minutes

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on June 30, 2015 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

15-07-447     2015 Green Team

Mayor Simms welcomed the 2015 Green Team to the Council Chambers. The project is funded through the Conservation Corps Newfoundland and Labrador (CCNL) and co-sponsored by the City of Mount Pearl. The Team's main focus will be to research community garden designs and management models and partner with the Church of the Good Shepherd Parish to build a community garden. The Team will also be involved in developing educational material around the topic of litter for presentation to school-age children as well as the clean-up of some litter "hot spots" throughout the City.

### CORRESPONDENCE

None presented.

### COMMITTEE REPORTS

#### COMMUNITY SERVICES COMMITTEE

15-07-448     City Days Celebrations  
July 17-19, 2015

Information was presented on the City Days Celebrations scheduled for July 17 – 19, 2015. Further details are available on the City website.

15-07-449     Family Canoeing & Kayaking Program  
Powers Pond

The Power's Pond Family Canoe/Kayak Summer Program commenced June 28. This year's expanded program will run on Mondays, Wednesdays and Thursdays, from 6:00 pm to 8:00 pm and on Sundays from 1:00 pm to 8:00 pm (weather permitting).

15-07-450     Summer Day Camps

Information was presented on the summer day camp program.

15-07-451     Yoga Classes

Information was presented on free yoga classes. Further details are available on the City website.

CORPORATE SERVICES COMMITTEE

15-07-452 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Arena Board of Management (Maintenance)	\$ 9,080.20
2.	Armour Lock & Safe (Accessibility Equipment for Doors)	\$ 10,482.45
3.	Bae-Newplan Group (Street Upgrading Pumphrey & Princeton)	\$ 10,248.42
4.	Electro Mechanical Services (Installation of Hydraulic Lift)	\$ 5,469.20
5.	Harbourside Transportation Consultation (Professional Services)	\$ 10,893.77
6.	Harvey & Company Limited (Parts)	\$ 9,036.25
7.	Kelloway Construction Ltd (Cleaning of Summit - May)	\$ 10,414.06
8.	Kelloway Construction Ltd (Cleaning Services - May)	\$ 16,761.63
9.	Kelloway Construction Ltd (Cleaning Services - June)	\$ 16,761.63
10.	Madsen Construction Equipment Inc. (Loader)	\$ 14,721.64
11.	Madsen Construction Equipment Inc. (4 Warranties for Loaders)	\$ 33,719.20
12.	Marco Services (Progress Payment 32, CP3)	\$ 89,814.25
13.	City of St. John's (Water Consumption May)	\$ 397,856.53
14.	City of St. John's (City's Share of Fire Dept. Jan-Apr)	\$1,608,297.32
15.	City of St. John's (City's Share of Fire Dept. July)	\$ 402,074.33
16.	City of St. John's (City's Share of Fire Dept. June)	\$ 402,074.33
17.	City of St. John's (City's Share of Fire Dept. May)	\$ 402,074.33

18.	City of St. John's (Water Consumption April)	\$ 386,618.59
19.	Modern Paving (Progress Claim No.5 CP2)	\$ 39,554.41
20.	Modern Paving (Progress Pmt No.1 Asphalt & Concrete Works)	\$ 250,519.64
21.	Municipal Assessment Agency (Third Quarter Assessment Fees)	\$ 70,084.00
22.	Saunders Equipment Limited (Combustion Tube Assembly)	\$ 8,331.21
23.	Signature Kitchen & Bath (Kitchen Cabinet Upgrade Park Place)	\$ 8,300.00
24.	St. John's Transportation Commission (Metrobus Costs May)	\$ 99,463.36
	<b>Total</b>	<b>\$4,312,650.75</b>

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

15-07-453 Change Orders – St. David's Park Redevelopment

Motion – Deputy Mayor Locke/Councillor Ledwell

RESOLVED THAT the following change orders for the St. David's Park Redevelopment project be approved:

Title	Details	Amount (HST Included)
RCO#01	Washroom building assessment to determine whether new washrooms could be added to the existing Tennis Club or if a standalone building was more feasible.	\$3,335.76
RCO#02	Cost estimates exploring two options for grading the park; one per the approved concept and another concept allowing for potential future expansion of an ice trail.	\$3,525.60
RCO#03	Additional meetings required to discuss conceptual plan with Royal Canadian Legion Branch #36 representative.	\$1,403.13

RCO#04	Revisions to presentation drawings per input from Royal Canadian Legion Branch #36.	\$988.75
RCO#05	New parking area concept and updates to rendering; additional 3D rendering.	\$2000.10
	Total (HST Included)	\$11,253.34

Question called. Motion carried unanimously.

15-07-454 Change Orders - 2011 Street Upgrading CP4 (Third Street and Wilcox Place)

Motion – Deputy Mayor Locke/Councillor Ledwell

RESOLVED THAT the following change orders for the 2011 Street Upgrading CP4 (Third Street and Wilcox Place) project be approved:

Title	Details	Amount (HST Included)
RCO#01	Existing sanitary sewer to be removed on Third Street and Wilcox Place as well as the storm sewer on Third Street was determined to be asbestos cement pipe.	\$304,874.00
RCO#02	It was determined, due to the condition and age of the water main, that the placement of the water main should be added to this contract.	\$553,700.00
RCO#03	Deduction - Due to the increase in the scope of work and the condition of the existing manholes, it was determined to re-use the existing manholes in order to reduce the project funds. Also, due to the changes of scope from CO# 1 and 2, some of the other quantities were affected.	(\$258,615.76)
	Total (HST Included)	\$295,389.114

Question called. Motion carried unanimously.

15-07-455 Project Updates

Information was provided on various ongoing projects such as street upgrading and maintenance; bulk garbage collection, parks and playfields; water and sewer; and fleet maintenance.

PLANNING AND DEVELOPMENT COMMITTEE

15-07-456 Business Participation in City Day's Events  
Celebrating the 60<sup>th</sup> Anniversary of the City of Mount Pearl

Information was presented on the status of Mount Pearl businesses who have agreed to participate in the 60<sup>th</sup> Anniversary celebrations as follows;

<b>Business</b>	<b>Activity</b>
Staples	BBQ in front of store
A & W	60 cent hamburgers the Thursday night prior to events (during their car show)
Coffee Matters	Offering 60's prices on a variety of menu items for the full duration of City Days weekend

The businesses are to be commended for their participation in the celebrations and the public is encouraged to take advantage of enjoying the promotions and activities planned by these businesses.

15-07-457 Proposed Single Family Dwelling – Subdivision of Property  
16 Edinburgh Drive

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT a subdivision development permit to subdivide the lot at 16 Edinburgh Drive be approved subject to the following conditions:

1. The applicant shall be required to provide the required drawings and information to Engineering Services Division for their review and approval prior to the issuance of a building permit.
2. Confirmation from the Engineering Services Division that there are adequate water and sewer services available for the new lot prior to a building permit being issued for the dwelling.
3. The lot be assigned the civic address 18 Edinburgh Drive and that the remaining three existing residential lots be renumbered in accordance with the City's civic renumbering policy.
4. Newfoundland Power's conditions;
5. Engineering Services Division's conditions;
6. Finance Division's conditions;
7. Planning and Development Department's conditions; and

8. The development meeting the Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

15-07-458 Proposed Mount Pearl Development Regulations 2010 Amendment No. 47, 2015 RHD Use Zone Amendment

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the proposed Mount Pearl Development Regulations 2010 Amendment No. 47, 2015, (RHD Use Zone Amendment) be adopted and the documentation submitted to the Department of Municipal and Intergovernmental Affairs for registration of the amendment.

Question called. Motion carried unanimously.

15-07-459 Order to be Rescinded  
54 Third Street

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the Order issued against the property of 54 Third Street be rescinded.

Question called. Motion carried unanimously.

15-07-460 CARILED Project

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the City of Mount Pearl confirm its commitment to host the FCM-CARILED delegation in the City of Mount Pearl as part of a Mount Pearl, St. John's and Torbay Study Mission in September 2015.

Question called. Motion carried unanimously.

15-07-461 Development Permit

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT development permits issued for the period of June 29 - July 10, 2015, be approved as presented.

Question called. Motion carried unanimously.

15-07-462     Building Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT building permits issued for the period of June 29 – July 10, 2015, showing a total construction value of \$1,047,530, be approved as presented.

Question called. Motion carried unanimously.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

15-07-463     Climate Change Flood Risk Mapping Study for the Waterford River Area

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT the City of Mount Pearl agrees to comply with the Department of Environment and Conservation’s Flood Plain Management Policy in regulating development in the Waterford River Area as part of the proposed study.

Question called. Motion carried unanimously.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

15-07-464     Proposed Amendments  
Bicycle, Scooter, Skateboard and Similar Objects Regulations

Motion – Councillor Tessier/Councillor Ledwell

RESOLVED THAT the following amendments to the Bicycle, Scooter, Skateboard and Similar Objects Regulations be adopted:

- (a) general formatting, reorganizing and rewording;
- (b) to change the definition of “*bicycle, scooter, skateboard or similar object*” to mean any device propelled on wheels by human power;
- (c) a person is **exempted** from Section 3 (“*no person shall ride or operate a bicycle scooter, skateboard or similar object on a street unless that person is wearing a helmet and the chinstrap of the helmet is fastened under the person’s chin*”):
  - (1) is a member of a religious community who, in accordance with his or her beliefs, is required to wear religious headwear; or
  - (2) cannot wear a bicycle helmet for medical reasons and has provided the City with written confirmation of same from a licensed physician.
- (d) to change the age of a person required to wear a helmet to sixteen;



(e) to increase the conviction fine to \$50.00;

Discussion: The purpose of the amendment is to add, change and clarify a number of clauses that reference the definitions, licenses, requirements and enforcement, clarify Council's authority to regulate the Bicycle, Scooter, Skateboard and Similar Objects throughout the City and to adjust the penalties for non-compliance.

Question called. Motion carried unanimously.

15-07-465 Speeding Traffic Concerns within City Limits

For the information of the public, there have been complaints indicating that speeding in residential areas is excessive. The Municipal Enforcement Division will continue to monitor traffic through data collected from street radar signs. Municipal Enforcement Officers will also continue to monitor streets and violators will be ticketed.

15-07-466 Tely 10 Road Race  
Sunday, July 26, 2015

The public was advised to expect possible traffic disruptions as a result of the Tely 10 Road Race taking place on Sunday, July 26.

15-07-467 Holy Sepulchre Service  
Tuesday, July 28, 2014

The public was advised that the Holy Sepulchre annual service will be held on July 28 at 7:00 pm which may impact traffic in that area.

NEW BUSINESS

15-07-468 Lights on Michener Avenue and Ruth Avenue

Deputy Mayor Locke raised concerns regarding the above noted intersection, in particular, the simultaneous green traffic light and pedestrian walk signals. The matter was referred to staff to see if this issue could be resolved before the school year begins in September.

15-07-469 Positive Praising

Councillor Tessier encouraged residents to start "positive praising" on social media for good deeds done instead of "public shaming", in particular regarding littering on City streets.

15-07-470     Animal Control

Councillor Tessier acknowledged employee, Walter Fowler, for his prompt attention to an Animal Control matter this past week.

15-07-471     Utility Boxes

Councillor Tessier advised that the painting of the utility boxes is continuing over the summer months.

15-07-472     Retirement

Council congratulated Gail Sexton, Human Resources Assistant on her retirement effective Friday, July 17. She has been an employee of the City for 21 years.

15-07-473     Botanical Gardens

Councillor Aker reminded residents of the Mystery Garden Tour taking place this coming weekend at the Botanical Gardens. There will be 10 participants with one being from Mount Pearl.

15-07-474     Sympathy

Sympathy was extended to families of Margaret Grant and Ken Ryan on their passing. They were two long-time Mount Pearl residents.

15-07-475     Open Area on Brookfield Avenue/Commonwealth Avenue

Councillor Stoyles received complaints about the debris that is being dumped on the corner lot of Brookfield Road and Commonwealth Avenue. It was requested that staff follow up with the City of St. John's on this issue.

15-07-476     Knights of Columbus – Father J.B. Kent Council

Councillor Ledwell extended congratulations to the Knights of Columbus on a successful year and to the outgoing Grand Knight, Mike Hussey and the incoming Grand Knight, Matt White.

Congratulations were also extended to Leo McKenna for being selected as Knight of the Year for 2014-2015 and to the Family of the Year for 2014-2015, Con and Sandra Milmore.

15-07-477     Bus for Holy Sepulchre Service

Mayor Simms discussed the possibility of a bus service for the Holy Sepulchre annual service suggesting that it could be a fundraiser for a charity.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:15 pm on a motion by Councillor Stoyles and seconded by Councillor Aker.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Human Resources Assistant