



**PUBLIC COUNCIL MEETING MINUTES
June 28, 2016**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on June 28, 2016 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Councillor Lucy Stoyles
Councillor John Walsh
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
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Deputy Mayor Jim Locke

STAFF ABSENT

Michele Peach, Chief Administrative Officer
Jason Collins, Director, Community Services

Mayor Simms chaired the meeting.

16-06-402 Adoption of Agenda

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

16-06-403 Adoption of Minutes

Motion – Councillor Tessier/Councillor Walsh

RESOLVED THAT the minutes of the public meeting held on June 14, 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

16-06-404 Invoices for Approval

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Air-Tite Sheet Metal Ltd. (Air Quality Upgrades, Depot PP#4)	\$ 20,340.00
2.	CAN-AM Platforms & Construction Ltd. (Admiralty House Annex Upgrades PP#1)	\$ 83,546.55
3.	City of St. John's (Water Consumption for April)	\$ 343,432.35
4.	City of St. John's (Water Consumption for May)	\$ 346,255.43
5.	City of St. John's (Robin Hood Bay Landfill - garbage/recycling tipping fees for May)	\$ 55,237.20
6.	Emberley Electric Limited (Install Car Charging Stations)	\$ 10,867.98
7.	Emberley Electric Limited (Repairs Summit)	\$ 8,419.84
8.	GCR Tire Centres (Tires)	\$ 5,139.24
9.	Harvey & Company Limited (Equipment Parts-Fleet-Turbo Kit)	\$ 6,040.98
10.	Kelloway Construction Ltd. (Cleaning Summit May/16)	\$ 10,414.06
11.	Kelloway Construction Ltd. (Smallwood Arena Demolition PP#1)	\$ 177,975.00

12.	King's Plumbing & Heating Limited (Replace Heater at Track & Field)	\$ 5,311.56
13.	King's Plumbing & Heating Limited (Upgrade Washrooms in Tennis Building)	\$ 10,170.00
14.	Madsen Construction Equipment Inc. (Purchase of Backhoe)	\$ 159,866.75
15.	Maritime Turf Supplies Limited (Ballpark Groomer)	\$ 5,295.03
16.	Morneau Shepell Ltd. (EAP Program Apr/16)	\$ 9,553.95
17.	Redwood Construction Ltd. (St. David's Park Redevelopment PP#2)	\$ 200,386.96
		\$1,458,252.88

Question called. Motion carried unanimously.

16-06-405 Summer Recreation Programs – Bus Services Tender 2016

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the Summer Program Bus Services contract to the lowest qualified bidder, Executive Taxi Services, in the amount of \$33,930.00, HST included.

Question called. Motion carried unanimously.

16-06-406 Clothing Tender

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to award the contract for the supply of branded clothing to the following suppliers who were the lowest compliant bidders:

Item	Supplier	Total Cost (including HST)
High Visibility Winter Parka	Campbell's Ships Supplies	\$10,068.30
High Visibility Rain Suit	Campbell's Ships Supplies	\$10,236.10
Winter Jacket	Brenkir Industrial Supply	\$1,645.20
Dress Shirt	Brenkir Industrial Supply	\$1,047.60
Polo Shirt	Brenkir Industrial Supply	\$603.30
Pants	Brenkir Industrial Supply	\$1,670.50
High Vis Non-Insulated Coveralls	Brenkir Industrial Supply	\$17,757.00
Regular Rain Suit	McLoughlan Supplies Ltd.	\$1,159.95
Blue Non-Insulated Coveralls	Chandler	\$1,220.40
Ball Hat	Chandler	\$771.75

Question called. Motion carried unanimously.

16-06-407 Premier's Forum on Local Government - Nomination

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT approval be granted to nominate Councillor Dave Aker to represent the Avalon Region at the 2016 Premier's Forum on Local Government being held October 5 at the Delta Hotel in St. John's.

Question called. Motion carried unanimously.

16-06-408 Team Broken Earth
Trail Run, July 3, 2016

For the information of the public, Team Broken Earth is sponsoring a run on July 3, 2016. The route starts at Bowering Park and travels the T'railway across Park Avenue, turning around at Forest Avenue in Mount Pearl. Runners will not be running on Park Avenue; safety marshals will be in place at the crosswalk.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

16-06-409 Request for Change Order Approval – Multi-Year Capital Works (MYCW) 2012 CP3 Street Upgrading Project – Second Street and Winsor Place (SNC-Lavalin Prime Consultant Agreement (PCA))

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following change order for the Multi-Year Capital Works 2012 CP3 Street Upgrading Project – Second Street and Winsor Place – be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Base Price	\$200,126.00
#01	Consulting and inspection services related to the upgrading of water, sanitary and storm sewer infrastructure services on St. David's Avenue, between Roosevelt Avenue and First Street	\$43,387.00
	Revised Contract Price	\$243,513.00

Question called. Motion carried unanimously.

16-06-410 Request for Change Order Approval – St. David's Park Redevelopment

Motion – Councillor Aker/Councillor Tessier

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

RCO #	Description	Value (HST Included)
	Original Contract Price	\$149,995.69
# 1 to 10	Previously authorized change orders to date	\$92,067.32
#11R3	Cash allowance for consultant visit and inspections during construction (above what is in existing contract)	\$8,000.00
	Total Change Orders	\$100,067.32
	Revised Contract Price	\$250,063.01

Question called. Motion carried unanimously.

16-06-411 Request for Change Order Approval – St. David’s Park Redevelopment

Item withdrawn.

16-06-412 Contract Recommendation – Supply and Delivery of Playground Equipment

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to award the contract for the supply and delivery of playground equipment to the lowest qualified bidder, RONA, for the bid amount of \$79,220.91 (HST included).

Question called. Motion carried unanimously.

16-06-413 Request for Change Order Approvals – Reid Centre Interior Renovations

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following change orders for the Reid Centre Interior Renovations contract be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Base Price	\$1,069,313.27
	Contract Cash Allowances	
	To Cover Costs for unforeseen site Conditions	\$10,000
	For Mechanical and Electrical Work in kitchen 119 renovations	\$10,000
	For Sanitary Drain repairs	\$50,000
	Original Contract Price Subtotal + Cash Allowances	\$1,139,313.28
Changes Below To Be Deducted From Sanitary Cash Allowance		
CO1	Labour and Material Charges due to Electrical Modifications.	\$14,600.00

	<ul style="list-style-type: none"> ▪ Extra fire alarm devices ▪ Increase transformer size ▪ Power distribution changes ▪ Electric charging car stations connected to the main panels. 	
CO2	To Supply materials and Labour due to the following: <ul style="list-style-type: none"> ▪ Washroom changes required in Service NL review. ▪ Ceiling tiles for lobby. 	\$17,156.61
CO3	Door Modifications to change doors from wooden to fire rated steel doors for doors 118.2 and 118.3	\$2,100.00
	Subtotal of Change Orders (HST Excluded)	\$33,856.61
	Change Order HST	\$4,401.36
	Total Change Order Cost (HST included)	\$38,257.96
	Contract Cash Allowance	\$70,000.00
	Contract Cash Allowance Remaining	\$31,742.00
	Revised Contract Price	No Change to Contract Price

Question called. Motion carried unanimously.

16-06-414 Request for Change Order Approval – Admiralty House Annex Upgrades

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following change order for the Admiralty House Annex Upgrades project be approved:

RCO #	Description	Value (HST Excluded)
	Original Contract Price + Contract Allowances	\$608,845.14
CO1	Supply and Install cabinets, under counter fridge, sink and all other associated plumbing work for venting of supply to and drainage from the sink and all required electrical work located in coat check.	\$12,542.32
	Subtotal of Change Orders	\$12,542.32
	New Contract Price	\$621,387.46
	Total Contract HST	\$80,780.37
	Revised Contract Price (HST Included)	\$702,167.82

Question called. Motion carried unanimously.

16-06-415 Project Updates

Updates on various projects ongoing throughout the city were presented. It was noted that St. Peter's Baseball Field is ready to be used from an infrastructure perspective, however, it was unknown whether any games have been scheduled.

16-06-416 Public Works Maintenance Updates

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

16-06-417 Rodents Policy – Barbour Drive Petition

A petition was received from residents of Barbour Drive requesting intervention by the City with regards to a rodent issue in the general area. A review of the area was carried out and it was noted there were no issues regarding rodents during the Winsor Place construction which took place in the fall of 2015 and the current problem being experienced would have been evident at that time.

A letter has been written to the residents advising the City does not conduct rodent control treatment on residential properties however, should it be determined that the issues are pertaining to City owned land we will engage our pest control to treat the area in question.

Councillor Stoyles questioned whether the rodent problem lay dormant during the winter season. It was reiterated that the work on Winsor Place involved water line upgrading and at no time during the construction had there been reports of rodents.

16-06-418 Notice of Motion – Solid Waste Regulations Change

Councillor Tessier gave notice that in accordance with Section 39 of the City of Mount Pearl Act, 1988, and Council's public notification policy, she would, at a regular meeting of Council, under the authority of Section 278 of the City of Mount Pearl Act, bring forward a motion for revisions to the Solid Waste Regulations.

PLANNING AND DEVELOPMENT COMMITTEE

16-06-419 Dillon Consulting Limited (On behalf of Tim Horton's / Wendy's)
Interior / Exterior Renovations, Building Extension and
Placement of Temporary Trailer for Drive-Through Use During Construction
70 Old Placentia Road

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT an application by Dillon Consulting Limited, on behalf of Tim Horton's / Wendy's, proposing to undertake interior/exterior renovations and a building extension with a floor area of 56.56 (609 square feet) to the existing restaurant building at 70 Old Placentia Road and, during construction, to place a

temporary trailer onsite to provide limited food and beverage service to Tim Horton's customers with Wendy's customers continuing to use the permanent drive-through on site be approved and a development permit issued subject to the following conditions:

1. no grading, filling, or placement of trailer on a permanent foundation to occur; the trailer shall not be located upon or within any utility easements;
2. the trailer shall be supported and anchored in a manner satisfactory to the City Inspector;
3. if the trailer is considered a "wide load", a police escort through the City is required and a route plan for the transportation of a wide load will be required to be submitted to the Engineering Services Division of the City;
4. City Inspector's conditions;
5. Environmental Health division of Service NL approval;
6. a permit from the Provincial Department of Transportation and Works for the transportation of a wide load on the provincial highway system if applicable;
7. a traffic control plan at the site, including flag persons and signage;
8. the trailer shall be placed on site outside of peak traffic hours, during day light hours, ideally prior to 7:30 AM;
9. Newfoundland Power's conditions and approval including approval of route plan and transport of wide load from Newfoundland Power prior to placement on site;
10. St. John's Regional Fire Department's conditions; and
11. the development meets the City of Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

16-06-420 CMT Inc. (on behalf of Mount Pearl Auto King)
New Building (Second Building on Lot)
181-183 Commonwealth Avenue

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT conditional approval be granted of a development application by CMT Group on behalf of Mount Pearl Auto King to construct a second building with a building footprint of 1115 m² with two tenant units on the property at 181-183 Commonwealth Avenue, with the 668 m² sized tenant unit being used for a group fitness use, and a development permit be issued subject to the development meeting the following conditions:

1. The development be approved subject to its compliance with the City's development and building regulations and the applicable conditions of the current development permit in effect.
2. The City agrees to installing a fire hydrant and associated water line on Commonwealth Avenue that will be accessible to the existing and proposed building at 181-183 Commonwealth Avenue for fire-fighting purposes. As this

will assist with the servicing and development potential of this and other properties further to the south on Commonwealth Avenue, the City will require proportional cost recovery on the construction cost for the line and hydrant from applicable property owners on Commonwealth Avenue.

3. The City will be responsible for the physical construction of the hydrant and associated water line. A deferred service levy will be applied to the subject property and other properties along Commonwealth Avenue to recover partial cost of construction. The payment of such a levy becomes due upon development of property and issuance of a development permit. The payment of a deferred service levy will be applicable to the subject property in association with the proposed improvements and development of a second building on the lot, and payment will be due prior to the issuance of a building permit.
4. The City's Finance Division will determine the level of cost share magnitude for impacted property owners and will advise further on this matter.
5. The City will require that the property owners whose buildings are serviced by the private 1¼" water line, or whose properties are traversed by this private water line, sign a joint servicing agreement acknowledging the use and approximate location of this line on their property. One of the permitting conditions will be that this agreement will need to be registered with the Registry of Deeds.
6. The City will require the submission of a letter stamped and signed by a civil engineer licensed to practice in Newfoundland and Labrador confirming that the existing private line has sufficient capacity and pressure to service the proposed new and the existing building at 181 – 183 Commonwealth Avenue, as well as the existing building at 185-195 Commonwealth Avenue, if the servicing of the new building will be via the private line.

Question called. Motion carried unanimously.

16-06-421 Anti-Graffiti Program
Survey of Public Utility Infrastructure in Mount Pearl

An update on discussions with the corporate community with respect to maintenance of their utility boxes was presented. Concern was expressed with the length of time to have the graffiti removed from the utility boxes (i.e. boxes located on Michener Avenue) by some of the utility companies. Staff was asked to follow up on this matter.

16-06-422 Development Permits
Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT development permits issued for the period of June 13 - 24, 2016 be approved as presented.

Question called. Motion carried unanimously.

16-06-423 Building Permits

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT building permits issued for the period of June 13 - 24 2016, showing a total construction value of \$3,140,099.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

16-06-424 Memorial Day Ceremony & Canada Day Celebrations – July 1

Councillor Stoyles advised that the Royal Canadian Legion will be holding a parade and wreath laying ceremony commemorating the Battle of the Somme at Beaumont Hamel starting at 11:00 AM, at the cenotaph located on Park Avenue.

Canada Day Celebrations will take place from 1:00 – 4:00 pm on the soccer fields located at the rear of Mount Pearl Senior High School. It was requested that the location be communicated to the public as much as possible. (Rainy day site is the Glacier.)

16-06-425 Condolences

Members of Council extended condolences to volunteer and resident Sherry Snow on the passing of her mother.

16-06-426 Hockey Night in Canada Play On, 4-0n-4

Councillor Stoyles commented on the Play On event, noting that she supported the event but not the location. She advised that she received several complaints from the community including St. Peter's Parish. She referred a resident's email requesting information on the event to staff for a response and subsequent report to Council.

Other members of Council also commented on the event, noting the positive feedback from residents, participants and neighbouring businesses. It was acknowledged that the traffic detour may have been inconvenient for some residents. Particular reference was made to a complainant who later recanted his complaints once he visited the site. Appreciation was extended to all involved in organizing the event. It was noted that staff worked with the organizer to ensure concerns raised in 2015 were addressed for this year's event.

16-06-427 Public Works Activity

Councillor Tessier advised that residents would be notified if work being done on a particular street would result in a closure. It was noted that work is ongoing throughout the City on a regular basis that would not necessarily result in a street closure.

16-06-428 Marlins Swim Club

Councillor Tessier extended congratulations to the Marlins Swim Club for being chosen the International Top Team Champions at the 2016 Fort Lauderdale International Invitational Swim Meet.

16-06-429 Upkeep – Property

Councillor Tessier asked property owners to maintain their property by mowing the grass, picking up garbage, and carrying out repairs.

16-06-430 Congratulations – Steve Noseworthy

Councillor Aker extended congratulations to Steve Noseworthy on his new position as Water & Sewer Foreperson.

16-06-431 Retirement – Barbara Morgan – Mary Queen of the World School

Councillor Aker extended congratulation to Barbara Morgan on her retirement as Principal of Mary Queen of the World School.

16-06-432 Knights of Columbus

Councillor Ledwell extended congratulations to Noel & Marilyn White on being chosen the Knights of Columbus Family of the Year as well as to Terry Knight on being chosen Knight of the Year.

16-06-433 Memorial Day – Royal Canadian Legion

Mayor Simms encouraged members of Council to attend the Memorial Day ceremonies, noting that this would be the last ceremony taking place at Park Place prior to the cenotaph being relocated to the St. David's Park.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:25 pm on a motion by Councillor Aker.

Chairperson

Deputy City Clerk