



**PUBLIC COUNCIL MEETING MINUTES**  
**March 24, 2015**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 24, 2015 at 4:15 pm.

MEMBERS PRESENT

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

15-03-156     Adoption of Agenda

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

15-03-157     Adoption of Minutes

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on March 10, 2015 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

### 15-03-158     Purple Day for Epilepsy

Mayor Simms signed a proclamation declaring March 26, 2015 as Purple Day in an effort to raise awareness and understanding of epilepsy and to support all those who live with seizures each day.

### 15-03-159     Volunteer Week

Mayor Simms signed a proclamation declaring April 12 – 18, 2015 as Volunteer Week in the City of Mount Pearl.

In attendance:

Jackie Dolomont, Vice Chair, Volunteer Week Committee and VOCM Cares  
Jim Burton, Honorary Champion 2015 and Chair of Hope Air  
Erin Sulley, Honorary Champion and Host of Out of the Fog  
Pam Corrigan, Community Sector Council NL

Mr. Burton extended appreciation to all volunteers who contribute so much to the community.

## CORRESPONDENCE

None presented.

## COMMITTEE REPORTS

### COMMUNITY SERVICES COMMITTEE

#### 15-03-160     St. John Ambulance, Mount Pearl Brigade 2015 Annual Fee for Service

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT approval be granted to release the 2015 annual fee for service to the St. John Ambulance, Mount Pearl Division, in the amount of \$3,000.00 in accordance with their current MOU.

Question called. Motion carried unanimously.

15-03-161 Mount Pearl Sport Alliance  
1<sup>st</sup> Installment – Operating Grant 2015

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT approval be granted to release the Mount Pearl Sport Alliance 1<sup>st</sup> installment of the 2015 operating grant, in the amount of \$87,000.00 in accordance with their MOU to cover the administration costs.

Question called. Motion carried unanimously.

15-03-162 Citizen of the Year Banquet  
April 11, 2015

A reminder to residents, the Citizen of the Year banquet honoring volunteers takes place at the Reid Community Centre on April 11 at 6:30 pm. Tickets will be available for purchase at the Reid Community Centre starting March 27.

The 2014 Citizen of the Year Ceremony is coordinated in partnership with the Kinsmen Club of Mount Pearl and held in conjunction with 2015 Volunteer Week. Selected annually, an individual is chosen from nominations received from community groups for this prestigious award. The 2014 nominees are: Joan Benson, Jim Greenland, Dave Lythgoe, Dan Maher, Gary Martin, A.J. Power and Keith White.

CORPORATE SERVICES COMMITTEE

15-03-163 Uncollectible Accounts

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to write off the balance and remove the following accounts from the City's records:

Account No.	Principal	Interest	Other	Total
9868	\$1,722.90	\$116.40		\$1,839.30
9086	\$1,868.18			\$1,868.18

Discussion: It was noted that the businesses have closed and all collection efforts have been exhausted.

Question called. Motion carried unanimously.

15-03-164     Professional Development & Training  
                  Councillor Stoyles

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted, in accordance with the Professional Development & Training Policy, for Councillor Stoyles to attend the Waste Expo Conference being held in Las Vegas, Nevada from June 1 - 4, 2015.

Question called. Motion carried unanimously.

15-03-165     Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Atlantic Trailer and Equipment Ltd. (Generator for emergency response trailer)	\$ 7,795.87
2.	Econolite Canada Inc. (2 Traffic Controllers and freight)	\$ 17,086.84
3.	Pacific Tier Solutions Incorporated (Scheduling and Registration Module Fees - Book King)	\$ 10,033.99
4.	WHSCC (2015 Assessment Fees)	\$ 210,795.41
5.	St. John's Transportation Commission (Services for January 2015)	\$ 101,166.58
6.	BC Sheppard Ltd. (Architectural/Structural Assessment)	\$ 5,085.00
	Total	\$ 351,963.69

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

15-03-166     2013 Street Upgrading CP2 – Change Order #1

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the following change order be approved for the 2013 Street Upgrading Project CP2:

Change Order 1        \$39,554.41 (HST included)

Additional quantities required due to minor changes in area of service; additional items at the request of the City, manhole sections were required at Hillhurst Street and Elmcliffe Street.

Question called. Motion carried unanimously.

15-03-167        Stormwater Management/2014 Sump Pump Project – Change Order #1

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the following change order be approved for the Stormwater Management/2014 Sump Pump Project:

Change Order 1        \$1,455.10 (HST excluded)

Rock backfill due to weather conditions; rock backfill is standard for work after November 15. The unit price requested by Platinum is of \$26.40/cubic meters for rock backfill and \$10.72/cubic meters to transport unsuitable material off site. (Total - 39 cubic meters as per consultant.)

Question called. Motion carried unanimously.

15-03-168        Summit Centre/Reid Centre – Request for Change Order #182 and #185

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the following change orders be approved for the Reid Centre/Summit Centre Project:

RCO#182	Replace Damaged Vent Stacks	\$4,382.40*
RCO #185	Aluminum Hardware for Door #1001	\$1,857.90*
		(*HST excluded)

Question called. Motion carried unanimously.

15-03-169        Winter Activity Report

An update on snowclearing operations, pothole repairs, hydrant clearing, equipment maintenance and salt usage was provided.

Reference was made to snowclearing operations on cul de sacs. Residents and private operators were reminded that it was a ticketable offence to remove snow from driveways and place it in the centre of the cul de sac. Council asked for the

number of fines issued for this type of offence (removing snow from driveways onto street).

Street widening is done in order of priority: school zones for high pedestrian volume; main four lane streets for high shoulder snow volume; narrow streets (e.g. those off Park Avenue); streets at a higher elevation due to higher snow accumulation (e.g. Mount Carson, Pearlview, and Kenmount Park), and then remaining streets. It was noted that there are sometimes other circumstances dictating when a street should be widened (e.g. drifting causing narrowing or other high snow volume warranting earlier widening).

#### PLANNING AND DEVELOPMENT COMMITTEE

15-03-170     Proposed Comprehensive Development Scheme  
Tract Consulting Inc.  
Kenmount Hill Area

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT approval be granted to award Tract Consulting Inc. the contract for the development of a CDS for the Kenmount Hill area at a cost of \$48,990.00 (+ HST).

Question called. Motion carried unanimously.

15-03-171     Green Rock – EVS  
Electric Charging Stations for Mount Pearl

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT approval be granted to purchase four public commercial electric charging stations from Green Rock E.V.S. at an estimated cost of \$4,000.00 per unit.

Discussion: It was requested that the Committee consider a policy on the public use of the charging stations prior to them being installed.

Question called. Motion carried unanimously.

**Councillor Aker left the meeting during discussion of the following item.**

15-03-172     Proposed Amendment to Condition of Development Permit No. DP14-028  
33-39 Municipal Avenue Development

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT approval be granted to amend development permit no. DP14-028 issued for the 33 – 39 Municipal Avenue project by replacing the existing condition 2 with the following text:

2. The City will permit the development of the site to commence on its portion of the property in conjunction with the abutting private properties on the basis of a restrictive covenant which shall state the following:
  - a) the land shall not be used for any other purpose than for the construction of a Seniors' Housing Project;
  - b) the use of the land for any other purpose, other than as a Seniors' Housing Project, shall not be undertaken without the prior written consent of the City; and
  - c) in the event that the developer/owner breaches any of these restrictions, the developer/owner agrees that the City shall be immediately entitled to damages in an amount equal to the value of the land at the date of the signing of this agreement.

Discussion: It was noted that the amendment was required to permit the transfer of subject lands to the developer/owner in order to access lender and NLH funding to proceed with the seniors' housing development.

Question called. Motion carried unanimously.

**Councillor Aker returned to the meeting.**

15-03-173     Proposed Changes to the Appeal Provisions of the  
Urban and Rural Planning Act, 2000  
Provincial Request for Commentary by City of Mount Pearl

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the position of Council, as outlined in the March 20, 2015 letter to the Department of Municipal and Intergovernmental Affairs, be ratified as the formal response by the City of Mount Pearl regarding the proposed changes to the *Urban and Rural Planning Act, 2000*, and associated regulations.

Question called. Motion carried unanimously.

15-03-174     Notice of Motion  
                  Amendment – Mount Pearl Development Regulations 2010

Councillor Ledwell gave notice that in accordance with Section 39 of the City of Mount Pearl Act 1988, he will, at a regular meeting of council, move an amendment to the text of the Mount Pearl Noise Regulations 2012 that, if enacted, will include amendments to:

- (a) add a definition for ‘fireworks’;
- (b) restrict the use of fireworks to Canada Day and New Year’s Eve; and
- (c) restrict the hours when fireworks may be used.

The purpose of this amendment is to more clearly regulate the use of fireworks in the City.

15-03-175     Development Permit List

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT development permits issued for the period of March 9 - 20, 2015 be approved as presented.

Question called. Motion carried unanimously.

15-03-176     Building Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT building permits issued for the period of March 9 – 20, 2015, showing a total construction value of \$2,289,746.00, be approved as presented.

Question called. Motion carried unanimously

TRANSPORTATION & PUBLIC SAFETY

15-03-177     Coalition of Persons with Disabilities  
                  Emergency Planning Guide & Prep Kit

For the information of the public, the City was a member of the task force that worked with the Coalition of Persons with Disabilities on the development of two new emergency planning resources including a planning guide and a personal information kit for persons with disabilities. Residents were encouraged to utilize the new personal information kit and have it accessible to emergency responders.



REGIONAL SERVICES & ENVIRONMENT COMMITTEE

15-03-178     Water Levels – Bay Bulls Big Pond

The public was advised that the most recent report shows that the water level at Bay Bulls Big Pond is on par with prior years. Residents were reminded that a conservation order is in effect year round and to be mindful of water consumption.

15-03-179     Earth Hour 2015 – March 28

Earth Hour is the world’s largest movement for action on climate change. During Earth Hour hundreds of millions of people around the world turn off their lights for one hour to support a future where climate change is no longer a threat.

Residents and business owners were asked to turn off their lights on March 28 from 8:30 PM – 9:30 PM for Earth Hour.

Information will be posted on the City’s website. Staff will be asked to participate and lights in City facilities will be turned off where possible. The Chamber of Commerce and its members will also be asked to turn off non-essential lights.

NEW BUSINESS

15-03-180     Congratulations - Emily Hepditch

Deputy Mayor Locke congratulated Emily Hepditch, an O’Donel High School student, who wrote a story that will be carried in a text book starting this fall.

15-03-181     O’Donel High School Boys Hockey

Deputy Mayor Locke congratulated the O’Donel High School Boys Hockey Team on winning the School Sports NL 4A boys’ hockey championship.

15-03-182     Birthday Greetings – James Ellsworth

Members of Council extended birthday greetings to James Ellsworth, a resident of Hillcrest Manor, who recently celebrated his 106<sup>th</sup> birthday.

15-03-183     CBC Morning Show

Deputy Mayor Locke advised that the CBC Morning Show will be broadcasting live from the Summit Centre on Friday (March 27) from 7:00 am – 9:00 am.

15-03-184 Summer Employment – Department of Advanced Education & Skills

Councillor Stoyles advised of student summer employment programs being offered through the Department of Advanced Education & Skills. Further details are available on the Department's website <http://www.aes.gov.nl.ca>.

15-03-185 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the NEAJC will be meeting on April 8 in the Town of Paradise at 6:30 pm. Guest speakers are Chairperson of the Eastern Waste Management Board and the Chair of the Southern Shore Joint Councils.

15-03-186 First United Church – Fundraising Concert

Councillor Stoyles advised that the First United Church is holding two fundraising concerts featuring Kevin Collins. The April 18<sup>th</sup> show is sold out; however, tickets are available for the April 19<sup>th</sup> performance.

15-03-187 Mount Pearl Square

Councillor Stoyles advised that some residents of the Branscombes Pond Subdivision continue to be disturbed by snowclearing equipment operating from the Mount Pearl Square parking lot. She noted that it had been reported to staff and municipal enforcement staff is monitoring the area. She requested that the residents' concerns be addressed.

15-03-188 Tree Mulching – Pitts Memorial Drive

Councillor Stoyles advised that the tree mulching project along Pitts Memorial Drive is impacting some residents who live on Stojko Place and Laumann Place whereby debris is being thrown into their back yards. She suggested that the Province should have guidelines in place when residential properties are in such close proximity.

15-03-189 Appreciation – IPW Department

Councillor Walsh extended appreciation to IPW staff for their efforts during the recent snow storm.

15-03-190 Association for the Arts in Mount Pearl (AAMP)

Councillor Tessier congratulated AAMP on their 10<sup>th</sup> anniversary, noting their AGM and the exciting events planned for the upcoming year.

15-03-191     Snow onto City Streets

Councillor Tessier reminded residents that snow cannot be thrown either from driveways or lawns onto City streets and to do so was a ticketable offence.

15-03-192     Mount Pearl Paradise Skating Club

Councillors Aker and Ledwell extended congratulations to members of the Mount Pearl Paradise Skating Club on a successful year and show. Appreciation was extended to all volunteers.

15-03-193     AAMP

Councillor Ledwell also acknowledged AAMP's success and requested that a letter of congratulations be forwarded by Mayor Simms.

15-03-194     Funding Announcement

Mayor Simms extended appreciation to the Provincial Government for their investment of \$13.4 million for capital works initiatives announced today's date.

15-03-195     Mount Pearl Minor Hockey Association (MPMHA) – 40<sup>th</sup> Anniversary

Mayor Simms advised that the MPMHA is hosting their 40<sup>th</sup> anniversary gala this weekend along with the inaugural hockey hall of fame induction. Congratulations were extended to the Association.

15-03-196     Mount Pearl Lions Club

Mayor Simms advised that the Lions Club was making a contribution towards the creation of the Mount Pearl Players group.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:30 pm on a motion by Councillor Tessier and seconded by Councillor Aker.

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Chairperson

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Deputy City Clerk