

Town of Carbonear
Regular Council Meeting, August 11, 2014
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, August 11, 2014 at 4:00 p.m.

Members Present: Mayor George Butt Jr.
Deputy Mayor Frank Butt
Councillors Ray Noel
Bill Bowman
David Kennedy
Ed Goff
Brenda Trickett

Also Present: Town Administrator Cynthia Davis
Town Clerk Cathy Somers
Director of Operations and Public Works Brian O'Grady
Director of Recreation And Tourism Rob Button

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1. Calling of Meeting to Order
Mayor Butt called the meeting to order at 4:00 pm.
Adoption of Minutes
 - Regular Minutes – July 9, 2014

R. Noel / B. Bowman

Resolved that the minutes of the July 9, 2014 Regular meeting of council be adopted as presented.
Favour 7; Opposed 0; **Carried**
 3. Business Arising From Minutes
 4. Delegations
 5. Correspondence, Permits & Development
 - a) List of Permits Issued # 6311-6395 (List attached)
Deputy Frank Butt left the meeting due to conflict of interest on the permit listing

D. Kennedy / R. Noel

Resolved that the Town of Carbonear approve the list of permits #6311 - 6395 as presented to Council.
Favour 6; Opposed 0; **Carried**
Deputy Mayor Butt was called back into the meeting.
 - b) Development:
 - 14-16 Freshwater Road - New Dwelling

D. Kennedy / R. Noel

Resolved to approve the application for a new dwelling at 14-16 Freshwater Road subject to meeting the Town of Carbonear Municipal Plan and Development Regulations and subject to required approvals from Services NL and other applicable government departments and agencies.
Favour 7; Opposed 0; **Carried**
 - 32 Mahaney's Lane – New fence

D. Kennedy / B. Bowman

Resolved to approve construction of a fence per application submitted subject to the fence meeting the Town of Carbonear Municipal Plan and Development Regulations and further subject to Fence Regulations and exception per section 8(a) of the Fence Regulations.

Favour 7; Opposed 0; **Carried**

- Crown Lands Application Municipal Recommendation
Councillor Bowman left the meeting due to conflict of interest on the next matter.

Motion 14-474

D. Kennedy / R. Noel

Resolved to complete the Municipal Recommendation Form providing municipal approval for the Crown Land application for a lot with an existing cabin as per the information submitted.

Favour 6; Opposed 0; **Carried**

Councillor Bowman was called back into the meeting.

5.1 Correspondence, requiring Council's decision

- a) 6 Hiscock's Lane
Outdoor wedding on Friday, August 22, 2014. Request for exemption to Noise By Law.

Motion 14-475

D. Kennedy / R. Noel

Resolved to approve an exemption to the Noise By-Law for Friday, August 22, 2014 for the property of 6 Hiscock's Lane.

Favour 7; Opposed 0; **Carried**

- b) Municipal Plan Amendment - Town of Carbonear Development
Regulations Amendment No. 26, 2014

Motion 14-476

D. Kennedy / B. Bowman

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear adopts the Town of Carbonear Development Regulations Amendment No. 26, 2014

Favour 7; Opposed 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Youth Ventures
RE: Request for donation to sponsor an award
Forwarded to Finance Committee
- b) Department of Environment and Conservation
RE: Acknowledgement of receipt of Crown Land application for Hiking Trail,
Placed on file
- c) Department of Municipal and Intergovernmental Affairs
RE: 2014-2019 Gas Tax Allocation
Copied to Finance Committee and Town Administrator
- d) NL Public Health Laboratory, Test results of water samples collected on June 25,
2014 @ the Dept of Justice, TC Square Mall, 13-15 Bemister's Hill, and Town
Council Office & July 16 at the Town Office, 13-15 Bemister's Hill, and Dept of
Justice. Results marked satisfactory. Placed on file.
- e) Department of Municipal Affairs
RE: Remote Meeting Attendance and Youth Representatives
Copied to Council, Town Administrator & Town Clerk
- f) Communities against Violence
RE: Co-host a Pride event
Forwarded to Recreation Committee
- g) Business Owner - Powell Drive
RE: Thank you note to town employee Terry Penney on his professional advise
and assistance.
Copied to the Public Works Committee, Council, and the Director of Operations
and Public Works.

- h) Resident London Road
RE: Right of way
Forwarded to Development Committee
- i) MNL
 - InfoNote
 - Mid-Year Update
 - Long Service Awards – Deadline is August 15, 2014
 Copied to Council
- j) Department of Municipal and Intergovernmental Affairs
RE: Approval of Prime Consultant – 2014 Municipal Capital Works Program
LeMarchant Street Phase II and Pike's Lane Lift Station
Placed on file
- k) Jumpstart / Canadian Tire
RE: Jumpstart's Annual Report for 2013
Copied to the Director of Recreation and Tourism, Placed on file.
- l) Department of Environment & Conservation /Water Resource Division
RE: 2013 Annual Drinking Water Quality Report
Copied to Town Administrator
- m) Department of Municipal and Intergovernmental Affairs/Eastern Regional Office
RE: 2014 Budget submission review process complete.
Forwarded to Finance Committee & Town Administrator
- n) Department of Municipal and Intergovernmental Affairs/Municipal Engineering and Planning Branch.
RE: 2015/2016 Municipal Capital Works Program
Forwarded to Finance Committee and Town Administrator
- o) Department of Municipal and Intergovernmental Affairs
RE: 2014 Fall/Winter MIGA Training Information and Registration
Copied to Council, Town Administrator and Town Clerk
- p) Department of Tourism, Culture, and Recreation
RE: Request communities to host an event to remember and honour the veterans and their families.
Forwarded to Recreation Committee

6. Committee Reports

- a) Finance, Human Resources & Administration Committee
Councillor Noel presented the following recommendations from the Committee:
Motion 14-477 **R. Noel / B. Trickett**
Resolved to purchase Town Suite Municipal Software from Procom at a cost of \$37,925.
Favour 7; Opposed 0; **Carried**
Town Clerk to try to arrange payment plan with a downpayment in 2014, with remaining to be paid in 2015 when the software is fully implemented and operating.

Motion 14-478 **R. Noel / B. Bowman**
Resolved to approve for payment the list of operating invoices in the amount of \$70,163.94 as submitted to council.
Favour 7; Opposed 0; **Carried**

Councillor Noel left the meeting due to conflict of interest on the next item.

Motion 14-479 **F. Butt / B. Bowman**
Resolved to donate \$50 to the Youth Ventures Program pending there are eligible participants from the town of Carbonear.
Favour 6; Opposed 0; **Carried**
Councillor Noel was called back into the meeting.

Councillor Noel also brought it to Council's attention that the Committee does not recommend acquiring a corporate credit card.

- b) Public Works, Waste Management & Community Services Committee
Deputy Mayor Butt presented the following recommendations:
Motion 14-480 **F. Butt / B. Trickett**
Resolved to send removal order to property owner 59A Southside Lower Road to remove commercial vehicles on property.
Favour 7; Opposed 0; **Carried**

Motion 14-481 **F. Butt / B. Trickett**
Resolved to send clean up order to property owner of 71 Southside Lower Road to remove demolition debris from the property.
Favour 7; Opposed 0; **Carried**

Motion 14-482 **F. Butt / B. Trickett**
Resolved to send clean up order to property owner of 11 Crossroads to remove wooden debris, car tires and metals from the property.
Favour 7; Opposed 0; **Carried**

Motion 14-483 **F. Butt / R. Noel**
Resolved to send clean up order to the property owner of 71 London Road to remove vehicles, wood, and other debris from the property.
Favour 7; Opposed 0; **Carried**

Inquiry and Update on Application to operate a landscaping business with contractor's yard including outside storage of equipment in a fenced area located on the property of 42 Powell Drive.

There were no objections or representations received on the Discretionary Use Ad for the application. Deadline for objections was August 1, 2014.

Motion 14-484 **D. Kennedy / F. Butt**
Resolved to approve a permit to operate a landscaping business with contractor's yard including outside storage of equipment in a fenced area located on the property of 42 Powell Drive subject to the construction of the proposed privacy fence prior to moving any equipment or supplies to the site.
Favour 7; Opposed 0; **Carried**

Staff to advise applicant to complete the construction of the proposed privacy fence as soon as possible as Council is moving forward with court action on the non-compliance with the order issued and served on the existing location of the equipment and supplies.

7. Reports of Town Administrator and Department Heads

a) Town Administrator

Town Administrator reviewed her report with Council.

- Financial Report provided for July 2014. No concerns to date.
- Archeology Project – The project concludes on August 15. Many artifacts retrieved. The archeologist will complete a report on same.
- Hiking/Walking Trail Project – Correspondence has been received from Service NL acknowledging receipt of the Town's application. The consultant is scheduled to meet with the Director of Operations and Public Works tomorrow.
- London Road Phase II – The project is ongoing and the extension has been approved to the substation.
- Street Paving 2014 – The tenders have been opened and there was only one bidder. The lowest bid was \$318,999 + HST from Concord Paving. A motion is required to award the contract. These include sections of asphalt on London Road, Water Street west, Southside Lower Road, O'Donovan's Lane, Bond Street, Powell Drive, Valley Road and Whites Road East of Newfoundland Drive. The bid was approximately \$75,000 higher than estimate. Review of the budget

has identified that revenues will be higher than budget and there is an additional \$10,000 from the budget allocated to share the cost of the water and sewer extension up Lily Pond Road which will provide the additional funds required if Council wishes to award the tender.

Deputy Mayor Butt, Councillors Trickett and Kennedy left the meeting due to conflict of interest on some of the streets included.

Motion 14-485

R. Noel / E. Goff

Resolved to award contract to Concord Paving Limited to complete proposed asphalt resurfacing as tendered for London Road, Water Street, Southside Lower Road, O'Donovan's Lane, Bond Street and Powell Drive.

Favour 4; Opposed 0; **Carried**

Deputy Mayor Butt, Councillors Trickett and Kennedy were called back into the meeting.

Deputy Mayor Butt and Councillor Noel left the meeting due to conflict of interest.

Motion 14-486

B. Bowman / B. Trickett

Resolved to award contract to Concord Paving Limited to complete proposed asphalt resurfacing as tendered for Valley Road.

Favour 5; Opposed 0; **Carried**

Deputy Mayor Butt was called back into the meeting.

Councillors Noel and Goff left the meeting due to conflict of interest.

Motion 14-487

D. Kennedy / B. Bowman

Resolved that Deputy Mayor Butt and Councillor Trickett are not in conflict of interest on Whites Road East as their relatives live on Whites Road west of the are being paved.

Favour 5; Opposed 0; **Carried**

Motion 14-488

D. Kennedy / B. Bowman

Resolved to award contract to Concord Paving Limited to complete proposed asphalt resurfacing as tendered for Whites Road East of Newfoundland Drive.

Favour 5; Opposed 0; **Carried**

Councillors Noel and Goff were called back into the meeting.

- Fire Protection Line Road – A fire protection agreement has been signed by the Line Road Association.
- Casual Call In Clerk I – Interviews were completed for the position and a recommendation is being made to hire. References have been contacted and she come highly recommended. Unless there are any objections, the Town Clerk will proceed to contact her to advise that she is being offered the position upon provision of the appropriate documentation.
Discussed.
Council advised to proceed as recommended.
- Going Paperless – Hoping to have tablets in use for the first meeting in September.
- Website – Almost ready – A link for the new site will be sent out for Council to view – We will arrange for a launch of the new site and the video for September.

b) Director of Operations and Public Works

- Water main flushing was completed in June.
- All of the cross walks have been painted. We will be doing more painting to mark out intersections, etc. The D.O.T has completed the line painting on Columbus Drive.
- Asphalt repairs are ongoing and will continue as long as the weather permits.
- The auto dialer has been installed in the chlorination house. The phone company was on site and installed a termination on the pole for the tie in. The crew that installs the phone line will be back on Thursday, Aug 14 to install the line. The system should be up and running shortly after.

- We continue to have problems with the effluent lift station on the beach. Last week both pumps failed placing us in a very difficult situation. We were able to remove both pumps and salvage parts from one to fix the other. We then returned that pump to operation by 10:00pm Friday night. The second pump is at Rebuilt Pumps and Motors. The estimate for repairs is approx \$10,000.00. These pumps are over 20 years old so parts are getting hard to source. They have only been able to source one rebuild kit in Canada.
It is very important that this year's capital project, to upgrade this pump house, be completed as soon as possible.

Motion 14-489

R. Noel / B. Trickett

Resolved to contract Rebuilt Pumps and Motors to complete repairs to the pump for the effluent lift station as per the estimate provided by the Director of Operations and Public Works.

Favour 7; Opposed 0; **Carried**

- 234 Water Street - I met with Pinchin LeBlanc as scheduled to complete the hazardous assessment. We have not yet received the report but I did speak to them to get some information. The report is written and being reviewed by senior staff at Pinchin LeBlanc. We will have to wait until we receive the report to get all the details.
- During periods of heavy rain the sewer system in 5 locations in Carbonear exceed capacity to the point of water rising out of the manholes. This creates sewer problem for residence/business in these area. One of these areas was corrected by a capital project and a second will be correct by a current capital project. Of the remaining three, one is on the west end of Water Street by the Rorke Stores. The new business that is opening in this area is concerned about the possible impact this will have on their business if they have a sewer backup. A sewer backup can be prevented by have a properly installed back flow preventer. However, sewer will not properly flow out of the building if the system is above capacity.
The only option for the remaining three areas is to increase the capacity of the sewer system through future capital projects. We would not be able to obtain provincial approval to add an outfall.
Director to discuss the option of installation of a sewer holding tank.
- Effluent volume and testing is ongoing. Our waste samples have to be sent to a lab in Nova Scotia. We are required to do 4 tests on quarterly basis.
 - o CBOD \$51.50
 - o pH \$17.00
 - o TSS \$23.00
 - o Unionized Ammonia \$45.00

c) Director of Recreation and Tourism

Pool & Rec Maintenance

- 1.) General Maintenance continually being completed. Staying on top of Miscellaneous items.
- 2.) Replacement sign for Hr. Rock Hill has been ordered. Will be here by Mid-August.
- 3.) Seasonal work is being completed.
- 4.) Going to get quotes for dog park fencing this week.

Financial & Program Analysis

	<u>2014</u>	<u>2013</u>
1.) Pool Revenue - August 10 th (less HST)	\$160, 456.61	\$165, 036.62
2.) Lesson Registration	1083	1230
3.) Pool Visitation	21, 112	19, 395

Programs & Grants

- 1.) Communities In Bloom judges were in town. From all accounts they enjoyed their visit and were impressed with our community. They were also present for our Annual Awards ceremony which took place on Wednesday, July 30th.
- 2.) Carbonear Day events were all well attended.
- 3.) Sprint Tri has been rescheduled for Sunday, August 31st. All planning is in progress. Registration was supposed to be online Friday past, however, not available. I have an email sent to check on the status. Still working on getting enough volunteers for the event.
- 4.) "From County Cork to Carbonear" performance was another great concert. Planning for another in November.
- 5.) Summer Program will finish this week. Would like to congratulate the summer staff on a job well done. We had approximately 155 children registered which is up slightly from last year.

Deputy Mayor Butt asked if the pedestrian gate will be reinstated at Burnt Head Road entrance to Crockers Cove playground. Director advised this will be reinstated.

Deputy Mayor Butt noted that repairs are needed to the walkway on Hr. Rock Hill. Director to investigate. Hill needs to be repaired

Deputy Mayor Butt asked if a picnic table could be installed at the Crockers Cove Look Out. Director advised it should be done this week.

Deputy Mayor Butt inquired about the handicapped automatic door for the pool entrance. Director advised he hopes to have this installed sometime this fall.

Deputy Mayor Butt advised there was a complaint of the smell of smoke at the Recreation Summer Camp in the Multi Purpose Room. Director advised, staff were addressed on this matter. There is a "No Smoking" policy at the facility and grounds.

Councillor Goff noted that we need to implement additional programs to get revenue up. This could include basketball, badminton, and other sport programs. Director to consider.

Councillor Noel noted that the Recreation Awards Night was very well done.

Deputy Mayor Butt noted that someone sustained an injury during the Tiddly competition. Assistance was offered to the individual, but she refused any medical attention or assistance.

Deputy Mayor asked when the dog park would be completed. Director advised he would consult with the Director of Operations and Public Works to determine what improvements will be made for the dog park. Hoping to have it completed in the fall.

8. Finance

Operating Invoices: over \$2,000.00 totaling \$70,163.94
Dealt with earlier in the Finance Committee report.

9. Regulations

- a) Solid Waste Disposal Regulations

Motion 14-490

F. Butt / B. Bowman

Resolved to adopt the revised Solid Waste Disposal Regulations.

Favour 7; Opposed 0; **Carried**

10. General Business

- a) Targa

Council confirmed that they do not want to participate in the Targa race this year.

- b) Councillor Goff noted that he received a compliment from a resident on Hoyles Road regarding work on culvert installation in that area.

- c) Councillor Bowman noted that there has been some asphalt dumped in the fill off the north side of Pond Side Road. Director of Operations and Public Works to have this investigated.

11. Notices of Motion

12. Adjournment

Motion 14-491

Adjourned at 6:11pm

Favour 7; Opposed 0; **Carried**

R. Noel / F. Butt

Mayor George Butt Jr.

Cathy Somers, Town Clerk