

**Town of Carbonear**  
**Regular Council Meeting, September 2, 2014**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, September 2, 2014 at 4:00 p.m.

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

**Members Absent:** Councillor Ray Noel

**Also Present:** Town Administrator Cynthia Davis  
Town Clerk Cathy Somers

**Also Absent:** 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.
  2. Adoption of Minutes
    - Regular Minutes – August 11, 2014
    - Motion 14-492** **F. Butt / B. Bowman**  
*Resolved that the minutes of the August 11, 2014 Regular meeting of council be adopted as presented.*  
Favour 6; Opposed 0; **Carried**
  3. Business Arising From Minutes  
Deputy Mayor Butt asked if the projects to be completed under the Gas Tax Funding have been determined yet. Town Administrator advised that to date, Council has not determined how the Gas Tax funding will be used.
  4. Delegations  
No delegations present.
  5. Correspondence, Permits & Development
    - a) List of Permits Issued # 6396-6445 (List attached)  
Councillors Kennedy and Trickett declared a conflict of interest on the list of permits and left the meeting.  
**Motion 14-493** **E. Goff / B. Bowman**  
*Resolved that the Town of Carbonear approve the list of permits*

#6396 - 6445 as presented to Council.

Favour 4; Opposed 0; **Carried**

Councillors Kennedy and Trickett were called back into the meeting.

5.1 Correspondence, requiring Council's decision

a) Water, Sewer & Street Upgrading

London Road – Phase II – Extension (Phase III)

Change Order No. 3 in the amount of \$110,529.26 payable to the contractor

Councillor Kennedy left the meeting due to conflict of interest.

**Motion 14-494**

**E. Goff / B. Trickett**

*Resolved to approve Change Order No. 3 in the amount of \$110,529.26 to extend London Road Phase II to the NL Power Substation.*

Favour 5; Opposed 0; **Carried**

b) Water, Sewer & Street Upgrading

London Road – Phase II – Extension (Phase III)

Change order in the amount of \$16,869.77 for increase in engineering fees due to value of the contract.

**Motion 14-495**

**B. Bowman / G. Butt**

*Resolved to approve the Change Order in the amount of \$16,869.77 for an increase to the engineering fees as a result of the increase in the contract due to the extension of the contract of London Road Phase II to the NL Power Substation.*

Favour 5; Opposed 0; **Carried**

Councillor Kennedy was called back into the meeting.

c) Targa – Request to start the Freshwater stage on Water Street East and request for jersey barriers.

**Motion 14-496**

**F. Butt / D. Kennedy**

*Resolved that the Town of Carbonear grant permission to Targa to start the Freshwater Stage on Water Street East (Crockers Cove) and Be It Further Resolved that the Town of Carbonear will lend Targa the town's concrete jersey barriers, subject to Targa being responsible for the transportation of the jersey barriers from the town site to the locations required and then return same to the town site, and Targa will be responsible for any cost incurred for the transportation.*

Favour 6; Opposed 0; **Carried**

d) Municipal Affairs, Contract for 2014-2017 Multi Year Capital Works Program

**Motion 14-497**

**D. Kennedy / B. Trickett**

*Resolved to authorize the Mayor and Town Clerk to sign the 2014-2017 Multi Year Capital Works Agreement on behalf of Council at a project cost not to exceed \$1,634,838 where council's cost is*

20% of the total project cost.

Favour 6; Opposed 0; **Carried**

- e) Department of Municipal and Intergovernmental Affairs  
Gas Tax Agreement motion of Council required.  
**Motion 14-498** **B. Trickett / E. Goff**  
*Resolved to approve the Ultimate Recipient Gas Tax Agreement 2014-2024 between the Town of Carbonear and the Government of Newfoundland and Labrador; and*  
*Be it Further Resolved that the Mayor and the Town Clerk be authorized to sign the agreement on behalf of the Town of Carbonear.*  
Favour 6; Opposed 0; **Carried**

## 5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Communities in Bloom Judges  
Thank you note to Mayor, Council and Director of Recreation and Tourism.  
Placed on file
- b) 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.
- c) MNL
- InfoNote
  - Mid-Year Update
  - Long Service Awards – Deadline is August 15, 2014
- Copied to Council
- d) Fire and Emergency Services – Long Service Award for firefighters. Placed on file until presentation at Fireman's Ball.
- e) Fire and Emergency Services Receipt of Firefighter Equipment Program application of June 26, 2014
- f) CBDC Notification of payment of \$2500.00 towards the cost of the Hazardous Materials Assessment. Cheque received.  
*Deputy Mayor Butt suggested that we send a letter of thanks to CBDC for this contribution.*  
*Town Administrator to send letter as suggested.*  
*Councillor Kennedy suggested that we advertise for a call for proposal for the demolition of the building. Advertise next week if possible.*  
*Town Administrator to complete.*
- g) Butt's Construction request for donation for Relay for Life. Referred to the Finance, Administration and HR Committee
- h) Municipal Assessment Agency update. Copied to Council. Placed on file.

- i) Target Marketing Sponsorship of Advertising in 2014 Traveler's Guide, Referred to the Finance, Administration and HR Committee

6. Committee Reports

a) Development Minutes

Councillor Kennedy presented the following motions being recommended by the Development Committee:

**Motion 14-499**

**D. Kennedy / F. Butt**

*Whereas Council has reviewed the representations received on variance publication on this application. Therefore Be It Resolved to approve application as submitted to subdivide property into nine building lots situate at Valley Road West of 166-182 Valley Road and subject to the subdivision meeting the requirement of the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 14-500**

**D. Kennedy / F. Butt**

*Resolved that the Town of Carbonear approve permit application to construct a garage on 45 Blueberry Crescent subject to the development meeting the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 14-501**

**D. Kennedy / B. Trickett**

*Resolved that the Town of Carbonear approve in principle the application to complete renovations and operate a family restaurant from 232 Water Street subject to the application meeting the requirements of the Carbonear Municipal Plan and Development Regulations and subject to applicable approvals from the Services NL and/or other applicable government departments and agencies.*

Favour 6; Opposed 0; **Carried**

**Motion 14-502**

**D. Kennedy / B. Trickett**

*Resolved to approve construction of a wheelchair ramp situate at 12 White's Road subject to the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 14-503**

**D. Kennedy / B. Bowman**

*Resolved to approve construction of a shed situate at 4 Russell Street subject to the Town of Carbonear Municipal Plan and Development Regulations and Subject to the shed being constructed a minimum of 6m from the boundary line.*

Favour 6; Opposed 0; **Carried**

**Motion 14-504**

**D. Kennedy / E. Goff**

*Resolved to send a Stop Work Order to property situate 13 Southwell Place for the construction of an extension to an accessory building.*

Favour 6; Opposed 0; **Carried**

**Motion 14-505**

**D. Kennedy / B. Bowman**

*Resolved to send removal order to property situate at 26 Janes Avenue to remove temporary shelter on property.*

Favour 6; Opposed 0; **Carried**

Deputy Mayor Butt inquired about the privacy fence for the landscaping business / contractors yard on Powell Drive.

The fence proposed is chain link 8 feet in height. In order to make the chain link fence a privacy fence, lattice would have to be installed in the chain link fence. The permit noted a privacy fence.

7. Reports of Town Administrator and Department Heads

a) Town Administrator

Town Administrator reviewed the following items from her report:

- Hiking/Walking Trail Project – We are still waiting on the report with recommendations on the design of the trail. Consultant has advised that he is working on the report and should have it available to us soon.
- London Road Phase II – Project ongoing. The Director has requested that the work be completed on the road including Class A stone while waiting on the asphalt to be completed.
- Road Paving – The tender has been awarded and the Director has met with the contractor and he anticipates the work will commence in a couple of weeks.
- 2014-2017 MYCW - Motion obtained earlier in the meeting.
- Eastern Waste Solid Waste Tender – Tenders have closed and Eastern Waste has proposed 2 billing options for the Town of Carbonear. This will be reviewed by the Finance Committee for a recommendation to Council.
- Other
  - Going Paperless – should be completed for next meeting.
  - New website – suggesting launch on Wednesday, September 24.
  - Council ok with date suggested.

8. Finance

**Operating Invoices:** over \$2,000.00 totaling \$55,725.98

**Motion 14-506**

**F. Butt / B. Bowman**

*Resolved to approve for payment the list of operating invoices in the amount of \$55,725.98 as submitted to council.*

Favour 6; Opposed 0; **Carried**

9. Regulations  
None listed.

10. General Business

Councillor Goff noted he received a request to have the potholes patched and street swept on Bay Street. Town Clerk advised this has already been placed on the work order system at least twice before. Director of Operations and Public Works previously advised that the work would be completed.

Councillor Goff noted that 65 athletes completed in the Carbonear Triathlon on August 31. The number of participants is down from previous years, probably due to the change in time for the event. Will return to the regular scheduled time in July for next year.

Deputy Mayor Butt inquired about the status of completion of the dog park. Town Administrator to check with the Director of Operations and Public Works and the Director of Recreation and Tourism on the progress of this project.

Councillor Kennedy suggested getting the fencing contracted out for completion and then follow through with the access improvements. Town Administrator to investigate and email Council with an update on the matter.

Deputy Mayor Butt inquired about the possibility of a holding lane on the east side of Columbus Drive as he had an inquiry from a developer on that side of Columbus Drive.

Town Administrator advised that this would have to be approved and implemented by the Department of Transportation and Works. The developer would have to submit a proposed development plan and letter of request to Council, and they would have to apply to the province for access of the highway as well.

Deputy Mayor Butt advised that there is an ongoing problem for the past three years with freezing between Earleson Heights and Islandview Heights near the bus stop. He noted that he feels this matter needs to be rectified. Item deferred for review in the Works Committee.

Deputy Mayor Butt inquired if the Town needs to complete a Municipal Plan Review at this time, as the existing Plan is dated 2004-2014. Town Administrator advised that the Plan does not expire, however we need to evaluate the plan to determine if a complete plan review is needed. Councillor Goff suggested that we should have a full day to evaluate the Town Plan, and suggested that we schedule it for some Saturday and have a planner come in and review the whole plan with Council and staff. Town Administrator noted that changes can be made through amendments rather than a total plan review.

Deferred until after a Development Officer is in place so that him/her could be included in the process as well.

Councillor Kennedy advised that the Carbonear Minor Softball has completed another successful season and they have one team going on to PEI for competition. Councillor Kennedy thanked all the dedicated volunteers involved with the Carbonear Minor Softball.

Town to provide the team with promotional materials for their trip to PEI.

11. Notices of Motion  
No notices of motions were filed.

12. Adjournment  
**Motion 14-507**  
*Adjourned at 5:00pm*  
Favour 6; Opposed 0; **Carried**

**F. Butt / B. Bowman**

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Mayor George Butt Jr.

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Cathy Somers, Town Clerk