

**Town of Carbonear  
Regular Council Meeting, June 5, 2017**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, June 5, 2017 at 4:00 p.m.

<b>Members Present:</b>	Mayor Deputy Mayor Councillors	George Butt Frank Butt Ray Noel Bill Bowman David Kennedy Ed Goff Brenda Trickett
<b>Also Present:</b>	CAO	Cynthia Davis
<b>Absent:</b>	Town Clerk	Cathy Somers (Vacation)

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 4:00pm and welcomed everyone present.
  2. Adoption of Minutes
    - Regular Minutes May 16, 2017

**Motion 17-128** **E. GOFF / W. Bowman**  
*Resolved that the minutes of the May 16, 2017 Regular meeting of Council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  3. Business Arising From Minutes
  4. Delegations  
None listed
  5. Correspondence, Permits & Development
    - a) Permit listing # 7674 – 7727  
It was identified that permit # 7684 for approval was the brother of Councillor Bowman.  
**Motion 17-129** **D. Kennedy / B. Trickett**  
*Resolved to approve the list of permits # 7674 – 7727 excluding #7684, as per applications received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*  
Favour 7; Opposed 0; **Carried**  
Councillor Bowman declared a conflict of interest as one of the permits on the list for approval was his brother. Councillor Bowman left the meeting.  
**Motion 17-130** **D. Kennedy / B. Trickett**  
*Resolved to approve permit # 7684 as per application received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**

Councillor Bowman returned to the meeting.

- b) 31 Powell Drive – complete an extension to an existing building  
An application was received to complete an extension to 31 Powell Drive for a chapel and crematorium.

**Motion 17-131 D. Kennedy / F. Butt**

*Resolved to approve the application to construct an extension to the existing building at 31 Powell Drive for a chapel and crematorium as per application received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies and upon receipt of required approvals from Service NL and other applicable government departments and agencies.*

Favour 7; Opposed 0; **Carried**

*Councillor Kennedy proceeded to provide his report on the Development Committee Meeting. See item 6. Committee Reports below.*

- 5.1 Correspondence, requiring Council's decision  
Correspondence received has been listed in 5.2 and has been referred to committee for review and recommendation to Council. Recommendations will be included in the committee reports.
- 5.2 Correspondence received and action taken:
- a) Municipalities NL
    - Info Note, Dates: (May 19, 26, 30, June 2 )
    - Report on Provincial Public Library System Review  
Copied to Council
  - b) NL Public Health Laboratory
    - Test results of water samples collected on May 17, 2017 @ 143 Columbus Drive, 1 Pike's Lane, 218 Water Street, & 74 Powell Drive. Results marked satisfactory. Placed on file.
    - Test results of water samples collected on April 26, 2017 @ TC Square Mall, Department of Justice, 143 Columbus Drive & 34 Willoughby Drive. Results marked satisfactory. Placed on file.
  - c) Bell Mobility  
RE: Information on new area code  
Placed on file
  - d) Royal Canadian Legion Branch 23  
RE: Request for military personal to use pool showers  
Forwarded to Director of Recreation, Recreation, Tourism & Culture committee
  - e) Department of Natural Resources, Mineral Lands Division  
RE: Application for exploration  
Forwarded to CAO & Director of Operations & Public Works & Development Committee
  - f) Property owner, Water Street
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- RE: Fence permit  
Forwarded to Development committee
- g) Department of Municipal Affairs & Environment  
RE: Community Sustainability Partnership Accountability Measure and Exemptions.  
Copied CAO, Town Clerk, & Finance, Human Resources & Administration committee
- h) Eastern Regional Service Board  
RE: Collection of fire fees by Eastern Regional Service Board  
Forwarded to CAOP & Public Works, Waste Management & Community Services Committee
- i) CBN Legendary Car Club  
Request for donation for 21 Annual Show & Shine  
Forwarded to Finance, Human Resources & Administration Committee
- j) Crohn's & Colitis Canada  
Request for donation  
Forwarded to Finance, Human Resources & Administration Committee
- k) Department of Municipal Affairs & Environment  
RE: Municipal Election Campaign Contributions  
Copied to Council, CAO & Town Clerk
- l) MMSB  
Backyard Compost Delivery Update on Compost bins  
Placed on file.
- m) Trinity Conception Family Resource Centre  
RE: Annual General Meeting, Tuesday, June 20 at 7 pm, Hotel Harbour Grace  
Copied to the Mayor
- n) Correspondence was received from the following regarding the Plan & Development Amendment, Proposed Hotel, and Crocker's Cove:
- Property owner, Burnt Head Road
  - Property owner, Freshwater Road
  - Property Burnt Head Road
  - Property owner, Mount Royal Estates
  - Property owner, Pike's Lane
  - Property owner, Freshwater Road
  - Property owner, Freshwater Road
  - President, Royal Canadian Legion, Branch 23
  - Property owner, Burnt Head Road
  - Property owner, Valley View Heights
  - Property owner, Freshwater Road
  - Property owner, Burnt Head Road
  - Property owner, White's Road
  - Property owner, Rusted Place
  - Provincial Archaeologist, Tourism, Culture, Industry & Innovation
- Forwarded to Development committee for review

- o) Department of Municipal Affairs, Water Resources  
RE: Fall 2016 Drinking Water Quality Data report  
Copied to CAO and the Director of Operations & Public Works
- p) 589 Air Cadets  
Information for the Mayor to attend the Annual Ceremonial Review on Sunday, June 4 followed by a banquet at the Legion  
Copied to the Mayor  
*Mayor Butt referenced that he attended this event. He indicated that it was a great day. He reported that the officials indicated that this was one of the best inspections. The squadron has been operating for 63 years.*
- q) Federation of Municipalities  
RE: Thank you to the Town for donation toward the reconstruction fund for Haiti  
Placed on file

6. Committee Reports

- a) Development  
Councillor Kennedy presented the following recommendations on behalf of the Development Committee:  
**Motion 17-132                      D. Kennedy / W. Bowman**  
*Resolved to approve the following development applications conditional upon the development being completed in accordance with the Carbonear Municipal Plan and Development Regulations and other regulations and policies and in accordance with other conditions as specified:*
  - 35 White's Road - construct a shed – Variance approved conditional upon no objections to the Variance Notice distributed to property owners in the vicinity of the development;
  - 43 Pike's Lane - Construct a greenhouse – conditional upon the applicant amending the application to provide the required 1.5 m side yard;
  - 2 Bannerman Street - Install a metal roof;
  - 18 Willoughby Drive – Construct a greenhouse - conditional upon the applicant amending the application to provide the required 1.5 m side yard;
  - 56 Valley Road – Home Based Printing Business – conditional upon no objections being received from the discretionary use advertisement and conditional upon complying with the Home Based Business Regulations.

Favour 7; Opposed 0; **Carried**  
*Deputy Mayor Butt declared a conflict of interest as the next application was from his brother. Deputy Mayor Butt left the Council Chambers.*

**Motion 17-133                      D. Kennedy / R. Noel**  
*Resolved to approve the operation of a home based printing business from 56 Valley Road conditional upon no objections being received from the discretionary use advertisement and further conditional upon the*

*development being completed in accordance with the Carbonear Municipal Plan and Development Regulations and the Home Based Business Regulations and other regulations and policies.*

Favour 6; Opposed 0; **Carried**

Deputy Mayor Butt returned to the meeting.

*Chairperson Kennedy informed Council that the committee was recommending a public meeting to be scheduled upon receipt of required information from the proposed developer where the concept and details of the development can be shared with the public as well as feedback received from the public consultation process. Council agreed with the recommendation.*

*Chairperson Kennedy also brought attention to the third bullet under New Business in the Development Minutes that stated the following: The committee inquired about the status of the Business Improvement District. The committee was informed that regulations had been drafted and the Municipalities Act outlines the requirements for setting up such a district. The legislation is written to ensure that such a district can only be set up with the support of the businesses that have been assessed for business tax in the last Municipal Assessment Roll. If 1/3 of the businesses object once notice has been given, Council cannot set up such a district. It was suggested that the next step is to call a meeting for those particular businesses to review the process.*

*Councillor Kennedy informed Council that his report was concluded but if there were any questions, Council could feel free to direct any questions to him or other committee members.*

b) Public Works, Waste Management & Community Services

Deputy Mayor Butt presented the following recommendations on behalf of the Public Works, Waste Management & Community Services Committee:

**Motion 17-134**                      **F. Butt / R. Noel**

*Resolved to approve the purchase of a SafePace 250 Driver Feedback sign at a cost of \$3696 plus HST.*

Favour 7; Opposed 0; **Carried**

*It was noted that this device records data as well.*

**Motion 17-135**                      **F. Butt / R. Noel**

*Resolved to issue an order to the following properties to complete clean up of wood, metals, scrapped vehicles and other debris on the property:*

- 62 White's Road
- 47 Pike's
- 71 London Road
- 5 Park Avenue

Favour 7; Opposed 0; **Carried**

**Motion 17-136**                      **F. Butt / W. Bowman**

*Resolved to issue an order to the owner of 67 Southside Lower Road to remove or repair the delapidated dwelling on the property.*

Favour 7; Opposed 0; **Carried**

**Motion 17-137**                      **F. Butt / R. Noel**

*Resolved to issue an order to the owner of 119 Water Street to remove the commercial vehicles that are located on residentially zoned property in violation of the Parking of Commercial Vehicle Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 17-138**                      **F. Butt / B. Trickett**

*Resolved that the Town of Carbonear install a new street light situate Freshwater Road in accordance with the Street Light Policy as identified by the Director of Operations & Public Works.*

Favour 7; Opposed 0; **Carried**

*The Deputy Mayor inquired if there were sufficient hydrants included in the Bond Street Project. The Director of Operations and Public Works will investigate further but typically the requirements per municipal specifications are included by the engineer and drawings are reviewed by the province.*

*Deputy Mayor Butt informed Council that his report was concluded but if there were any questions, Council could feel free to direct any questions to him or other committee members.*

c) Recreation, Tourism & Culture

Councillor Goff made the following report and presented the following recommendations on behalf of the Recreation, Special Events, Culture & Tourism Committee:

- *Walking Trail official opening and naming will take place on June 16 @ 2 pm.*
- *The Tree of Memories ceremony to dedicate trees planted around the boardwalk in memory of loved ones will take place on June 9 @ 2 pm.*
- *The official naming and opening of the Dog Park is planned for this summer. The Garland Family will contact the town with a preferred date.*

**Motion 17-139**                      **E. Goff / B. Trickett**

*Resolved to approve the purchase of a solar light at the cost of \$1,800 for the boardwalk between the Community Centre Parking Lot and the CNA as this is a dark area during the night for users of the boardwalk.*

Favour 7; Opposed 0; **Carried**

*Councillor Goff reported the following:*

- *the new equipment is being placed at the Recreation Complex Playground*
- *the community garden opening was on Saturday for which he was in attendance*
- *community clean up and hazardous waste collection took place on Saturday as well*

*Councillor Goff informed Council that his report was concluded but if there were any questions, Council could feel free to direct any questions to him or other committee members.*

7. Reports of Chief Administrative Officer and Department Heads

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- a) Chief Administrative Officer  
 CAO previously distributed a copy of her report to Council.  
 The CAO reported on the following:
1. Cross Roads Bridge Assessment
  2. 41-43 Goff Avenue/45-47 Goff Avenue has been listed with the Real Estate Agency
  3. 12 Across the Doors property has been listed with the Real Estate Agency
  4. Fox Farm Campground lease draft has been completed and will be provided to the proposed operator once it has been reviewed with Council.
  5. Multi Year Capital Works Funding – The province has been notified that the project approved by Council is Water Street. The project will start from just west of Adelaide Street and will go eastward as far as the total funding allotment of \$1,019, 097 will permit.
  6. Gas Tax Project – A resolution of Council is required approving the Capital Investment Plan for upgrading of Water Street along the breakwater in the amount of \$309,626 as estimated by Harris & Associates.  
**Motion 17-140 R. Noel / F. Butt**  
*Resolved that the Town of Carbonear submit its Capital Investment Plan to the Department of Municipal Affairs for Gas Tax Funding in the amount of \$309,626 for Street Upgrading Water Street (along the breakwater).*  
 Favour 7; Opposed 0; **Carried**
  7. Street Paving – The estimate of the streets being considered is higher than funds budgeted. Council will meet on Thursday to review the list.
  8. Approval to sell surplus equipment  
**Motion 17-141 F. Butt / B. Trickett**  
*Resolved to sell the following equipment by Public Tender with the minimum bids as specified:*
    - 2002 Hyundai Loader (Minimum bid \$25,000)
    - 2005 V1035 Yanmar Excavator with Trailer (Minimum bid \$25,000)
 Favour 7; Opposed 0; **Carried**  
 The sweeper was previously tendered for sale but did not sell. There has been an offer received for \$1,500. The Director of Operations is recommending sale of the sweeper for the offer received.  
**Motion 17-142 R. Noel / E. Goff**  
*Resolved to sell the old sweeper for \$1,500.*  
 Favour 7; Opposed 0; **Carried**
  9. Long's Hill Parcel of Land  
**Motion 17-143 R. Noel / B. Trickett**  
*Resolved to complete the survey and appraisal of land at 34 Long's*

Hill; and

Be it further resolved to advertise the property for sale by public tender upon receipt of the survey and appraisal.

Favour 7; Opposed 0; **Carried**

10. Rock Wall – Highroad South near Southside Lower Road Intersection. Council will discuss this at the meeting on Thursday to discuss paving for 2017.

Any questions on the report can be directed to the CAO.

8. Finance

- a) **Operating Invoices:** over \$2000.00 totaling..... \$484,927.18

**Motion 17-144** **R. Noel / W. Bowman**

*Resolved that the Town of Carbonear approve for payment the list of operating invoices as submitted totaling \$484,927.18.*

Favour 7; Opposed 0; **Carried**

9. Regulations

None listed.

10. New Business

Deputy Mayor Butt referenced upgrades to the water and sewer required at the end of Mahaney's Lane. This street is on the list for when funding is available to complete the work. The Director of Operations and Public Works will review the work required.

A meeting will be arranged with the RCMP to discuss some recent theft within the town.

11. Notices of Motion

No notices of motions were filed.

12. Adjournment

**Motion 17-145** **F. Butt / R. Noel**

*Resolved that the meeting adjourn at 5:00 p.m.*

The next meeting is scheduled for Monday, June 19<sup>th</sup>, 2017 @ 4:00pm.

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Mayor George Butt

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Cynthia Davis, CAO