

**Town of Carbonear**  
**Regular Council Meeting, October 19, 2015**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, October 19, 2015 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 Rob Button

**Absent:** Director of Economic  
Development & Tourism Kai Bath

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 4:05pm and welcomed everyone present.
  2. Adoption of Minutes
    - Regular Minutes – October 5, 2015
    - Motion 15-255 R. Noel / D. Bowman**  
*Resolved that the minutes of the October 5, 2015 Regular meeting of Council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  3. Business Arising From Minutes  
No business arising.
  4. Delegations  
No delegations listed.
  5. Correspondence, Permits & Development
    - a) List of Permits Issued (#7081-7089) (List Attached)  
**Motion 15-256 D. Kennedy / F. Butt**  
*Resolved to approve the list of permits # 7081 – 7089 as per applications received and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*  
Favour 7; Opposed 0; **Carried**

- 5.1 Correspondence, requiring Council's decision  
None listed.
- 5.2 Correspondence received and action taken  
Council reviewed the following correspondence and action taken:
- a) Municipalities NL
    - INFO Note –October 9, 2015
    - INFO Note – October 16, 2015
    - Sheila Fitzgerald for Small Town Director
 Copied to Council
  - b) NL Public Health Laboratory, Test results of water samples collected on August 10, 2015 @ Department of Justice and the TC Square Mall, TCO and 142 Columbus Drive. Results marked satisfactory. Placed on file.
  - c) Joint Council of Conception Bay North  
RE: Minutes of September 24, 2015  
Copied to Council, placed on file
  - d) CBDC Trinity Conception  
RE: Invitation to attend AGM, Tuesday, October 20, 2015 (3-5 pm)  
Copied to Council
  - e) Eastern Newfoundland Regional Appeal Board  
RE: Decision of appeal pertaining to property on Valley Road  
Forwarded to Development Committee
  - f) Water Street property owner (1)  
RE: Application to operate a day care  
Forwarded to Development Committee
  - g) Water Street property owner (2)  
RE: Application to operate a day care  
Forwarded to Development Committee
  - h) Heart and Stroke Foundation  
RE: Recognizing the Town of Carbonear as a winning community in its population category for its fundraising efforts.  
Copied to the Mayor, Placed on file.
  - i) Community Handicapped Association  
Request for donation.  
Copied to Finance, Human Resources & Administration Committee
  - j) Harbour Grace Volunteer Fire Brigade  
Invitation for the Fire Chief to attend Annual Fire Fighters Ball on November 7 @ 6:30 pm.  
Copied to the Fire Chief, placed on file
6. Committee Reports
- a) Finance, Human Resources & Administration Committee  
Councillor Noel advised there were no motions recommended by the Finance Committee.  
Councillor Noel noted that we are continuing to get further information which will allow the set up of an option for tax payers to pay their

accounts by credit card through a third party that provides that service. The service fee is charged to the tax payer, and no service fee is incurred by the town. This is an option that some other municipalities are now providing.

Councillor Noel also noted that the Committee is working to finalize the lease on the Fox Farm campground as well.

- b) Public Works, Waste Management & Community Service Committee  
Deputy Mayor Butt presented the following motions as recommended by the Committee:

**Motion 15-257**

**F. Butt / B. Bowman**

*Resolved to send removal order to property owner of 77 London Road to remove fence built in non-compliance to the Town of Carbonear Fence Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 15-258**

**F. Butt / R. Noel**

*Resolved to purchase LED Traffic Light Modules for Traffic Light system on Columbus Drive.*

Favour 7; Opposed 0; **Carried**

Deputy Mayor Butt inquired about a concern from a resident regarding erosion of his property on Power Heights. Director of Operations and Public Works advised that this matter is included on the list for additional asphalt work, which will be reviewed by Committee at their next meeting.

Deputy Mayor Butt noted that there was a motion made at the November 3, 2014 meeting to install gabions in the ditch between the properties of 10-12 LeMarchant Street.

The Director of Operations and Public Works noted that this has been discussed a couple of times since then in the Public Works Committee and it was noted that if Council wanted to proceed to address this issue that it was felt that the installation of culverts would be a more economical alternative. The approximate cost of the culvert would be \$6,000 - \$7,000. The gabions would cost approximately \$4,000 - \$5,000 but are much more labour intensive.

Discussed.

**Motion 15-259**

**F. Butt / B. Bowman**

*Whereas the ditch running between the properties of 10 and 12 Lemarchant Street is an integral part of the drainage system from the North side of Carbonear; and*

*Whereas there are very high volumes of water experienced at this point in the drainage system; and*

*Whereas this section of the system must be maintained regularly and kept free of debris to prevent flooding of properties in the area of Across the Doors and Lemarchant Street; and*

*Whereas the erosion from the high water volumes is damaging the asphalt driveway at 12 Lemarchant Street; and  
Whereas the Town has already upgraded the section of the drainage system between Long's Hill and Across the Doors and under Lemarchant Street due to heavy damage sustained during Hurricane Chantal and Igor;  
Be It Resolved that the Town install culverts in the section of the system located between 10 and 12 Lemarchant Street at a size no less than the engineered size installed under Lemarchant Street to address the maintenance and erosion issues being experienced.*

Favour 7; Opposed 0; **Carried**

Councillor Goff requested the Public Works Committee to evaluate placing street signs at the lights on Columbus Drive/Fox Farm intersection and the Columbus Drive/Goff Avenue/Forest Road intersection.

Committee will review the matter at their next meeting.

- c) Development Committee  
Councillor Kennedy noted that the minutes have not been finalized and there are no recommendations being made at this time.  
Recommended motions are deferred for next meeting.
- d) Recreation, Tourism & Culture Committee  
Councillor Goff noted that there are no motions being recommended by the Recreation Committee at this time. The minutes have not yet been finalized but will be distributed to Council when completed. Council can review same and any questions can be addressed to the committee.

## 7. Reports of Town Administrator and Department Heads

- a) Town Administrator  
The Town Administrator reviewed the following from her report:  
Financial Report  
The Financial Report was previously copied to Council. The report indicates that our YTD revenue is \$100,000 over budget. Town Administrator noted that Council can review the matter to determine how they would like to use this surplus revenue.  
It was noted that we could consider setting the surplus aside toward a reserve fund toward the depot or for the waste water project fund.  
Town Administrator reviewed the Accounts Receivable Summary.  
Town Clerk advised that further details regarding tax collection methods and various action on outstanding receivables was identified and reviewed with the Finance Committee.  
Traffic Impact Study  
The information provided by the Department of Transportation with respect to the proposed access south of Canadian Tire has been conveyed to the proposed developer.

Development Committee representatives to meet with the proposed developer to determine the details of their proposal.

Appeal to Court of Eastern Regional Appeal Board Decision

1 Russell Street - The Court vacated the decision of the Eastern Regional Appeal Board and it has been sent back to the board for decision based on the directions of the court.

192 Valley Road - The decision of the Eastern Regional Appeal Board has been received and the Eastern Regional Appeal Board confirmed the Town's Order.

*Councillor Noel inquired if there is any recourse to recover the court cost for This matter. Town Administrator noted that the decision does not allow for any recovery of legal cost. Council suggested that Council request that MNL lobby government to have changes made to the structure of the appeal board.*

Compliance Request Investigation

The town's lawyer recommended that the Compliance Letter state that the Town would not be ordering the removal of the garage due to the insufficient side yard. I would require the approval of Council since Council would have to make this decision.

**Motion 15-260**

**D. Kennedy / B. Trickett**

*Whereas the garage situate 41 Hoyles Road has a side yard of 2.45 m from it's west boundary; and*

*Whereas a permit numbered 005308 was issued in 2012 to construct the garage; and*

*Whereas the garage was inspected and the location was approved;*

*Be it Resolved that, per the discretionary powers of Council, a removal order will not be issued for the garage pertaining to the side yard distance measuring 2.45 m.*

Favour 7; Opposed 0; **Carried**

b) Director of Operations and Public Works  
No report at this time.

c) Director of Recreation and Tourism  
Director of Recreation and Tourism reviewed the following with Council:

Pool & Rec Maintenance

- 1.) Overseeding of sports fields has been completed.
- 2.) New playstructure and fencing completed at Southside Playground. Working on signage.
- 3.) Diving board frame at pool has split. It has been removed, replacement parts have been sourced and will be ordered this week. Installation of the new stand will be the biggest obstacle.
- 4.) Garage door for storage facility was ordered. Waiting for arrival and installation. Should be completed within the next week or so.

Financial & Program Analysis

	<u>2015</u>	<u>2014</u>
1.) Pool Revenue -October 18 <sup>th</sup> (less HST)	\$245,233.85	\$235,302.46
2.) Lesson Registration	1712	1431
3.) Pool Visitation	28,132	27,684

Programs & Grants

- 1.) Recreation complex has been fairly busy over the last few weeks. Schools have been availing of the facilities for their gym and healthy living classes. Senior High Boys Softball regional's, Senior High Girls Soccer, Harvest Run (1200 participants) have been hosted at the complex. Junior high soccer is being hosted tomorrow.
- 2.) Request For Proposals for the locomotive has been advertised. I have had a couple of emails from companies looking for further info.
- 3.) All final reports for Canada Summer Jobs students were submitted. And funding has been received.
- 4.) Canadian Tire Jump Start has approved funding (\$15,000) for school program again this year. Currently in process of registering students to receive funding. We will be working with schools and staff of pool to begin program in near future.

Other

Carbonear was awarded a grade of 4 out of 5 for Communities in Bloom. The full report will be reviewed by the Recreation Committee.

8. Finance

a) **Operating Invoices:** over \$2000.00 totaling..... **\$61,863.26**

**Motion 15-261**

**R. Noel / F. Butt**

*Resolved to approve for payment the list of operating invoices in the amount of \$61,863.26 as submitted to council.*

Favour 7; Opposed 0; **Carried**

b) Capital Invoices:

Water, Sewer & Street Upgrading, LeMarchant Street – Phase II

PN 13-112 (MA 17-MYCW-15-00065)

Harris & Associates, Invoice #5924..... \$10,105.33

Street Upgrading & Paving 2015 Gas Tax, PN 15-108

Harris & Associates, Engineering Invoice # 5927..... \$13,842.50

**Total Capital Invoices.....\$23,947.83**

**Motion 15-262**

**R. Noel / B. Trickett**

*Resolved to approve for payment the list of capital project invoices in the amount of \$23,947.83 as submitted to council.*

Favour 7; Opposed 0; **Carried**

9. Regulations

None listed.

10. New Business

- Mayors walk tonight at 7
- Opening of the Poppy Campaign in Spaniards Bay, Next Thursday
- Joint Council next Thursday
- Mayor Butt thanked Deputy Mayor Butt for filling in for him at the Fireman's Ball
- Councillor Kennedy inquired about the design for the new Works Depot. He noted that he would like to initiate it to go to tender in January. Town Administrator to work with the Director of Operations and Public Works to ensure the project is ready for tender in January. Town Administrator noted that we are currently investigating the purchase of additional land adjacent to our location for the new depot.
- Councillor Goff asked if the lots on Willoughby and Goff Avenue are ready for

sale. Town Administrator advised she is waiting on the surveys for the new lots to be completed in Willoughby. She noted that she will check on the status of the rezoning of the Conservation Area in the Industrial Park to determine if these lots can now be listed for sale.

- Councillor Bowman asked if the matter of shared services can be placed on the agenda at the next Joint Council Meeting. Mayor Butt to have it added to the agenda.

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

12. Adjournment

**Motion 15-263**

**F. Butt / R. Noel**

*Resolved that the meeting adjourn at 5:19p.m. The next meeting will be held on Monday, November 2, 2015 at 4:00pm.*

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Mayor George Butt

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Cathy Somers, Town Clerk