

Town of Carbonear
Regular Council Meeting, May 16, 2016
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, May 16, 2016 at 4:00 p.m.

Members Present: Mayor George Butt
Councillors Ray Noel
Bill Bowman
David Kennedy
Ed Goff

Members Absent: Deputy Mayor Frank Butt
Councillor Brenda Trickett

Also Present: Chief Administrative Officer Cynthia Davis
Town Clerk Cathy Somers
Director of Recreation Rob Button
Director of Operations & Public Works Brian O'Grady
Economic Development & Tourism Officer Kai Bath

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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 2, 2016
Motion 16-081 D. Kennedy / E. Goff
Resolved that the minutes of the May 2, 2016 Regular meeting of Council be adopted as presented.
Favour 5; Opposed 0; **Carried**
 3. Business Arising From Minutes
 4. Delegations
None listed
 5. Correspondence, Permits & Development
 - a) List of Permits Issued #7206-7228 (List Attached)
Motion 16-082 D. Kennedy / B. Bowman
Resolved to approve the list of permits #7206 – 7228, as per applications

received and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.
Favour 5; Opposed 0; **Carried**

- b) Development Applications (Not yet reviewed)
 - 41 Hoyles Road – New business (Hair Salon) (Discretionary use advertised)

5.1 Correspondence, requiring Council's decision

- a) Motion required to approve Municipal Plan Amendment No. 22, 2016 and Development Regulations Amendments No. 32, 2016

Motion 16-083 **R. Noel / E. Goff**

Under the authority of Sections, 16, 17 and 18 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear

1. *Adopted Municipal Plan Amendment No. 22, 2016 and Development Regulations Amendments No. 32, 2016 on the 18th day of April, 2016.*
2. *Gave notice of the adoption of Municipal Plan Amendment No. 22, 2016 and Development Regulations Amendments No. 32, 2016 by advertisement inserted on the 3rd day of May, 2016 and the 10th day of May 2016 in the Compass.*
3. *Set the 18th day May, 2016 at 7 pm at the Carbonear Town Hall for the holding of a Public Hearing to consider objections.*
Now under Section 23 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear approves Municipal Plan Amendment No. 22, 2016 and Development Regulations Amendments No. 32 on the 16th day of May, 2016.

Favour 5; Opposed 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Municipalities NL
 - Info Note - May 7 (Municipalities/Libraries)
 - Info Note – May 13 (2016 MNL convention accommodations – October 5-8, St. John's, NL)
Copied to Council, Placed on file
- b) Business owner Goff Avenue
RE: Intention for land on Goff Avenue
Referred to Development Committee.
- c) Forget Me Not Committee
Request to sponsor a soldier
Forwarded to Finance, Human Resources & Administration Committee
- d) Email from individual expressing her discontent with the issuance

of a ticket while being parked in a no parking area.
Forwarded to Public Works, Waste Management & Community Services Committee

- e) Trinity Conception Battalion
RE: Spring Parade at Harbour Grace, 2 pm, Sunday May 15
Copied to the Mayor
- f) Department of Municipal Affairs
RE: Premier's Forum on Local Government, October 5, 2016
Copied to Council & Chief Administrative Officer, placed on file
- g) Fire & Emergency Services
 - RE: FES NL's Annual Spring Training School May 28-June 3 in Grand Falls-Windsor, Copied to Fire Department & Chief Administrative Officer
 - Baccalieu Trail B & B Patio, issuance of a liquor license
Copied to Fire Department, placed on file
- h) Service Canada
Approval for Canada Summer Job Applications.
Copied to Chief Administrative Officer, Economic Development & Tourism Officer and Director of Recreation
- i) Prepared NL Consulting
Emergency Preparedness Consulting Services
Copied to Chief Administrative Officer
- j) Royal Canadian Legion
RE: Thank you to the Town and Town employees for their assistance in the Battle of the Atlantic celebrations.
Copied to Chief Administrative Officer, Council and staff
- k) Charwood Legion Manor
RE: Future use of land on Pike's Lane
Copied to Public Works, Waste Management & Community Service Committee
- l) NLOWE
Press Release advising Natalie Austin, Dozen Odds will represent Canada at the G7 Summit in Japan, May 18-19.
The release was shared on social media. Placed on file
- m) Eastern Safety Services
RE: Municipal Proposal for safety training
Forwarded to Public Works, Waste Management and Community Services Committee
- n) Resident of Freshwater
RE: Suggestion for property clean up in the town.
Forwarded to Public Works, Waste Management & Community Services
- o) Department of Fisheries and Aquaculture (Office of the Minister)
RE: Ministerial Advisory Panel
Copied to Mayor & Chief Administrative Officer

- p) Hospitality NL
RE: Decal enclosed to display at place of business
To be placed on display at the Rorke Store
- q) Department of Municipal Affairs – Eastern Regional Office
- Review of budget submission completed
- Community sustainability Partnership Accountability Measures & Exemptions
- 2014-2017 Multi Year Capital Works (Reallocate funding request approved)
Copied to Chief Administrative Officer & Town Clerk, placed on file
- r) Municipal Assessment Agency Inc.
RE: Information on the Clar Simmons Scholarship Award
Copied to Council and Town Staff, placed on file
- s) Property owner –Chapel Hill
RE: Complaint of garage on neighbouring property
Entered into work order system for MEO review
- t) CNA Graduation invitation – June 1
Copied to the Mayor
- u) Individual inquiry to host an event at Paddy’s Garden for the purpose of a benefit to help those affected by the fire in Fort McMurray
Copied to Director of Recreation
- v) Resident Hoyles Road
RE: damage sustained to vehicle November 7, 2015
Copied to Director of Operations and Public Works, Copied to Contractor
- w) Property owner Grasse Lane
RE: Inquiry on tax payment plan and dog license
Copied to Clerk I for a response
- x) Property owner LeMarchant Street
RE: Update on street light
Copied to Director of Operations and Public Works
- y) Carbonear Library
RE: Carbonear Public Library – Third place award TD Summer Reading Club Library Awards for 2015.
Placed on social media and webpage. Letter of congratulations from the Mayor forwarded to Tracy Vaughan-Evans, Library Technician.
- z) Department of Environment and Conservation
RE: Application to replace cabin in the Island Pond/Flings Long Pond Protected Public Water Supply Area,
Forwarded to Development Committee
- aa) Line Road Association
Re: Fire Protection Line Road
Forwarded to Finance, Human Resources & Administration Committee
- bb) Crohn’s & Colitis Canada

Request for donation. Included on the approved donation listing for 2016 in the amount of \$50. Cheque to be completed.

- cc) Strive Express Fitness, Bay Roberts
RE: Business interested in setting up equipment for Carbonear Day Activities
Forwarded to Recreation, Tourism & Culture Committee

6. Committee Reports

a) Development Committee

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

Motion 16-084 **D. Kennedy / R. Noel**

Resolved to approve permit to combine properties situate at 1 & 2 Kirby Lane and to change use subject to no objections to the variance to the maximum floor area and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-085 **D. Kennedy / B. Bowman**

Resolved to approve the application to subdivide property at 10 Tyre's Drung; and

Be It Further Resolved to approve a new dwelling in accordance with the Town of Carbonear Municipal Plan and Development Regulations conditional upon land being provided for a turnaround at the end of the street and obtaining water and sewer service in accordance with Town Regulations and policy; and subject to notification to the applicant that since the road is not currently included in the Limit of Service Agreement with the province and the street is not currently paved, the property may be subject to a service levy/local improvement assessment in accordance with the Municipalities Act.

Favour 5; Opposed 0; **Carried**

Motion 16-086 **D. Kennedy / R. Noel**

Resolved that the Town of Carbonear approve the Business Development Application to open a Licensed Daycare Centre from 151-153 Water Street per the Carbonear Municipal Plan and Development Regulations and other regulations and policies and upon receipt of applicable approvals from Services NL and/or other applicable government departments and agencies.

Favour 5; Opposed 0; **Carried**

Motion 16-087 **D. Kennedy / R. Noel**

Resolved to approve an application to replace an existing fence at 7 Southside Lower Road with required amendments to the application to comply with the Fence Regulations and further subject to the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-088

D. Kennedy / B. Bowman

Resolved to approve an application to construct a fence at 98 Water Street with required amendments to the application to comply with the Fence Regulations and further subject to the requirements of the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-089

D. Kennedy / R. Noel

Resolved to approve an application to construct a greenhouse situate at 56 Valley Road as per the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-090

D. Kennedy / E. Goff:

Resolved that the Town of Carbonear approve the application to operate a Carpentry–Contracting business from 40 Burnt Head Road provided no objections or representations are received from the discretionary use advertisement in the local paper, per application submitted and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-091

D. Kennedy / R. Noel:

Resolved that the Town of Carbonear approve the application to operate a Used Car Dealership at 56 Columbus Drive provided no objections are received from the discretionary use advertisement in the local paper, per application submitted and per the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-092

D. Kennedy / R. Noel

*Resolved to approve the application to construct a backyard rink situate at 5A Northwood Estates per the application submitted per the Town of Carbonear Municipal Plan and Development Regulations and Fence Regulations and other regulations and policies; and
Be It Further Resolved that the approval shall be conditional upon the property being graded in such a manner to ensure melting ice does not impact neighbouring properties.*

Motion 16-093

D. Kennedy / B. Bowman

Resolved to approve the application to replace a cabin situate on Lot 89, Line Road per the application submitted, per the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies and upon receipt of applicable approvals from the Department of Environment and Conservation and other applicable government departments and agencies.

Favour 5; Opposed 0; **Carried**

Motion 16-094**D. Kennedy / R. Noel**

Resolved to approve the application to replace a patio situate at 22 LeMarchant Street per the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-095**D. Kennedy / R. Noel**

Resolved to approve the application to construct an extension to a dwelling situate at 65A Gilmour Place as per the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.

Favour 5; Opposed 0; **Carried**

Motion 16-096**D. Kennedy / R. Noel**

Resolved that the Town of Carbonear convey the land situate at 27 Willoughby Drive to the highest bidder in the amount of \$34,001.00 subject to a two year development agreement.

Favour 5; Opposed 0; **Carried**

Motion 16-097**D. Kennedy / B. Bowman**

Resolved that the Town of Carbonear convey the land situate at 48-52 Janes Avenue to the highest bidder in the amount of \$34,001.00 subject to a two year development agreement.

Favour 5; Opposed 0; **Carried**

Motion 16-098**D. Kennedy / B. Bowman**

Resolved that the current policy of development permits expiring on December 31 of each year be amended to development permits expire 12 months from the date of issue effective immediately.

Favour 5; Opposed 0; **Carried**

Motion 16-099**D. Kennedy / R. Noel**

Resolved to approve a separate electrical service for a garage constructed at 15 Valley Road.

Favour 5; Opposed 0; **Carried**

Motion 16-100**D. Kennedy / R. Noel**

Resolved to survey land at 41–47 Goff as two lots (41-43 Goff Avenue and 45-47 Goff Avenue) and tender the sale of the 2 lots with a minimum bid on each lot of \$75,000.

Favour 5; Opposed 0; **Carried**

7. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

The CAO reviewed the following items from her report:

1. Financial Report

Financial report was previously distributed to Council. No concerns noted at this time. Revenue and expenditures are within budget.

2. Surplus Land Available for Sale

Motions obtained earlier in the meeting as recommended by the Development Committee.

3. Purchase of building and land – Pike’s Lane
Completed Form B as required by the Public Tender Act when a purchase is to be made without going to tender where, in the opinion of the head of the government funded body, inviting a tender would not achieve the best value. Waiting on response from submission of that form.
4. 2012 Legacy Fund
Town of Hr. Grace advised that at their last regular meeting it was decided that \$30,000 would be taken from the surplus funds for the 2012 NL Summer Games and be split equally between the Town’s of Carbonear and Hr. Grace and the balance of the funds would be distributed as a yearly scholarship in the amount of \$500 each for a student in Hr. Grace and a student in Carbonear.
Representatives from each town will meet to discuss the scholarship criteria.
5. Loyal Orange Lodge Monument
The monument is still at the Works Depot. The Recreation Committee suggested that the monument be placed at the Anglican Cemetery. Currently waiting on a quote to have it refurbished and placed at a new location. A concrete foundation would also need to be poured to place the monument.
A decision of Council is required if Council is in favour of proceeding in this manner.
CAO to obtain specific cost estimates for Council’s consideration in making this decision. Deferred for further information.
6. Alberta Fire Appeal
An email has been received from MNL concerning a donation to the Alberta Fire Appeal. They are donating \$1,000 and noted that they understood urban municipalities plan to donate between \$500 and \$1,000. A motion is required if Council would like to make a donation.
Discussed.
Motion 16-101 **E. Goff / R. Noel**
Resolved to donate \$500 to Red Cross for the Alberta Fire Appeal to assist families living in Fort McMurray that were displaced by the fires that led to the evacuation of over 80,000 people.
Favour 5; Opposed 0; **Carried**
7. Spring Newsletter
The Spring Newsletter has been mailed out to residents and a copy has been placed on the Town’s website and shared over Facebook as well.
8. 2016 Budget

An amended motion is required to adopt the revised 2016 budget due to revenue that were not reported when the budget was formerly adopted on December 21, 2015. There is an additional revenue is as a result of changes to the Gas Tax Revenue. This will provide for additional revenue resulting in a total budget surplus of \$44,071. Discussed.

Motion 16-102

R. Noel / D. Kennedy

Resolved to amend the 2016 Budget to record operating revenue of \$6,689,758 and operating expenditures of \$6,645,687 with a total budget surplus of \$44,071 as presented.

Favour 5; Opposed 0; **Carried**

b) **Director of Recreation**

Director of Recreation reviewed the following items from his report with Council:

Pool & Rec Maintenance

1.) Seasonal maintenance staff started last week. Playground equipment has been installed, and the remainder of sports field equipment will be installed within the next couple of days. Horticulturist began today as well. Had both maintenance staff work Monday-Friday last week and this week, for training purposes, but starting next week one of the staff will work Wednesday - Sunday to cover weekends.

2.) Construction of Storage Garage has begun. Footings and frost wall are poured.

Financial & Program Analysis

	<u>2016</u>	<u>2015</u>
1.)Pool Revenue -May 13 th (less HST)	\$120, 874.46	\$122, 532.42
2.)Lesson Registration	884	958
3.)Pool Visitation	14, 137	12, 494

Programs & Grants

- 1.) Final group of Swim to Survive has started. Program will be finished the first week of June.
- 2.) Canada Day Family Activities and Concert has been planned. Family Activities at the Recreation Complex from 2 - 4. Concert featuring Masterless Men and Midlife, gates open at 8pm. Fireworks from the Recreation Complex at 10pm.
- 3.) Triathlon planning has started. Sunday, July 17th. Registration will be available for the event in the very near future.
- 4.) Summer program will be starting Monday, July 4th. Registration will be the week of June 27th. Have been receiving student applications for employment and will be contacting for interviews with the next couple of weeks.

Council requested the Director of Recreation to check on the option of setting up online swim lesson registration.

Council also suggested that Council consider purchasing ball hockey rink equipment from the Town's share of funds from the Summer Games Legacy Fund.

Councillor Noel inquired about fertilization and aeration of the fields. Director of Recreation advised that fertilization and liming is done in spring, aeration is done in the fall.

8. **Finance**

- a) Operating Invoices: over \$2000.00 totaling..... \$252,543.81
Motion 16-103 **R. Noel / B. Bowman**
Resolved that the Town of Carbonear approve for payment the list of operating invoices in the amount of \$252,543.81 as submitted to council.
Favour 5; Opposed 0; **Carried**

9. Regulations
None listed.

10. New Business

- a) Rorke Store gate
Councillor Bowman noted that the fence on top of the rock wall has been removed along with the gate. He suggested that the gate be replaced with a lower height gate.
Discussed.
Motion 16-104 **B. Bowman / E. Goff**
Resolved that the Town of Carbonear replace the gate that has been removed to the entrance of the Rorke Museum property with two lower gates that are lower in height.
Favour 5; Opposed 0; **Carried**
Director of Operations and Public Works will have motion sensor lighting installed as well. Council will also consider installation of security cameras and signage as well.
- b) Mayor Butt inquired about the installation of speed bumps in the Water Street East area near the playground.
CAO noted that we need to look at criteria for the installation of speed bumps perhaps in school zones and playground areas.
Director of Ops and PW to investigate for recommendation. Referred to Works Committee.
- c) Councillor Goff inquired about the guide rail going to Crockers Cove.
Director of Ops & PW to investigate the matter.
- d) Meeting times
Discussed.
Council will continue with Regular Council Meetings at 4pm but if it poses a problem for several councilors due to work commitments, then we could consider moving the meeting to 7pm.
Members of Council to provide advance notice if you can not attend.
- e) Councillor Goff noted that the cost of the proposal to refurbish the train car was around \$70,000 refurbish. He indicated that cost is somewhat high, and suggested that Council would have to try and obtain 50/50

funding to help offset this cost.

Discussed.

Director of Recreation to investigate additional funding options.

f) Hotel Study

Councillor Kennedy recommended the following motion relating to the completion of a hotel study:

Motion 16-105 **D. Kennedy / E. Goff**

Resolved to accept PKF Consulting Canada to complete a hotel study for the price of \$20,792.

Favour 5; Opposed 0; **Carried**

11. Notices of Motion

No notices of motions were filed.

12. Adjournment

Motion 16-106

R. Noel / B. Bowman

Resolved that the meeting adjourn at 4:57p.m. with next meeting scheduled for June 6th, 2016 at 4:00p.m.

Mayor George Butt

Cathy Somers, Town Clerk