

Town of Carbonear
Regular Council Meeting, November 8, 2016

Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, November 8, 2016 at 4:00 p.m.

Members Present:	Mayor Deputy Mayor Councillors	George Butt Frank Butt Ray Noel Bill Bowman David Kennedy Brenda Trickett
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Members Absent:	Councillor	Ed Goff
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Also Present:	CAO Town Clerk Director of Operations & Public Works Director of Recreation	Cynthia Davis Cathy Somers Brian O'Grady Rob Button
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1. Calling of Meeting to Order
Deputy Mayor Butt called the meeting to order at 4:02pm and welcomed everyone present.
 2. Adoption of Minutes
 - Regular Minutes – October 17, 2016
Motion 16-252 **R. Noel / B. Bowman**
Resolved that the minutes of the October 17, 2016 Regular meeting of Council be adopted as presented.
Favour 6; Opposed 0; **Carried**
 3. Business Arising From Minutes
No business arising.
 4. Delegations
None listed
 5. Correspondence, Permits & Development
 - a) List of Permits Issued # 7516 - 7540 (List Attached)
Motion 16-253 **D. Kennedy / B. Trickett**
Resolved to approve the list of permits # 7516 - 7540, as per applications received and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.
Favour 6; Opposed 0; **Carried**
 - 5.1 Correspondence, requiring Council's decision
 - a) Department of Municipal Affairs – Eastern Regional Office

MYCW / 2014-17 – Change order #2 (engineering)
LeMarchant Street – Phase II, PN 17-MYCW-15-00065
Change order in the amount of \$16,827.41 for a total of \$145,365.25

Motion 16-254 **F. Butt / R. Noel**

Resolved to approve Change Order #2 in the amount of \$16,827.41, bringing the total engineering contract from \$128,537.84 to \$145,365.25 for the MYCW 2014-17 for the W/S LeMarchant Street Phase II, Project No. 17-MYCW-15-00065.

Favour 6; Opposed 0; **Carried**

Department of Municipal Affairs – Eastern Regional Office
MYCW / 2014-17 – Change order # 3(construction)
LeMarchant Street – Phase II, PN 17-MYCW-15-00065
Change order in the amount of \$27,950.47 for a total of \$869,023.03

Motion 16-255 **R. Noel / B. Trickett**

Resolved to approve Change Order #3 in the amount of \$27,950.47, bringing the total construction contract from \$841,072.56 to \$869,023.03 for the MYCW 2014-17 for the W/S LeMarchant Street Phase II, Project No. 17-MYCW-15-00065.

Favour 6; Opposed 0; **Carried**

- b) Carbonear Downtown Business Improvement Association
RE: Best Decorated Downtown Business

Motion 16-256 **D. Kennedy / B. Bowman**

Resolved that the Town of Carbonear provide three plaques for the Best Decorated Downtown Business awards.

Favour 6; Opposed 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Municipalities NL
- Civic Engagement & Collaboration – Webinar 11/17/16
- InFo Note – Oct 28
- Urban Municipalities Meetings, Nov 17 & 18. Conception Bay South
Copied to Council
- b) Property owner Valley Road
RE: Request to remove sign
Forwarded to Public Works, Waste Management & Community Services committee
- c) Department of Municipal Affairs
RE: Allocation of the Federal Gas Tax Program payment for year 10A, 10B, & 11A
Copied to the CAO and Town Clerk, placed on file
- d) Communities Against Violence
RE: Presentation on Planning Ahead, Thursday, November 3rd, @ 1:30 pm
Royal Canadian Legion, Carbonear
Copy of the notice placed in the lobby.
- e) NL Public Health Laboratory, Test results of water samples collected

on September 19, 2016 @ TC Square Mall, Department of Justice, Fongs Restaurant & Bemister's Hill. Results marked satisfactory. Placed on file.

- f) Property owner – Blueberry Crescent
Re: street lighting
Forwarded to Public Works, Waste Management & Community Services committee
- g) Cornerstone Baptist Church, 19 Highroad South
RE: Invitation to Mayor and Council to attend moose supper on November 25 at 6pm. RSVP by November 10.
Copied to Mayor and Council
- h) Charwood Legion Manor
RE: Invitation for the Mayor to attend the Christmas Party on December 16 at 6 pm.
Copied to the Mayor
- i) Royal Canadian Legion, Branch 23
RE: Thank you for donation to the Poppy Fund
Placed on file
- j) Municipal Assessment Agency
RE: 2017 Assessment Service Fee of \$28 per parcel and per tenant. For 2017, the fee for assessment service for the Town of Carbonear will be \$74,508 and is based on 2453 parcels and 208 tenant(s). This fee will be levied in quarterly invoices of \$18.627.
Copied to Town Clerk & CAO. Placed on file
- k) The Kiwanis Club of Carbonear Regional Music Festival
RE: Request for donation
Included on the approved list of donations for 2016. Cheque(s) to be completed for the Town of Carbonear Award in the amount of \$125 and Full Page Ad in the amount of \$100.
- l) CBDC
RE: Entrepreneurial Networking Breakfast Session, Brown's Restaurant, Whiteway on November 14 from 9-11. Breakfast no charge with donations going to the Kids Eat Smart Foundation.
Copied to Council and staff
- m) Department of Environment and Conservation
RE: Spring 2016 Drinking Water Quality Data report
Copied to CAO and Director of Operations and Public Works
- n) Department of Municipal Affairs, Office of the Minister
RE: Letter of offer to "Develop Historical Tourism Walking Trail App"
Forwarded to Recreation, Tourism & Culture committee, CAO & EDTO
- o) Property owner Blueberry Crescent
RE: Request to extend landscaping
Forwarded to Public Works, Waste Management & Community Services committee
- p) Steel Communications
RE: Donation to the Toy Tree Project at the TC Square
Included on the approved donation listing for 2016. Cheque in the amount of \$50 to be completed.

- q) Department of Municipal Affairs
RE: Response to the Towns request to an amendment to the Municipalities Act, 1999 in regard to placing a lien on a property for the enforcement of a municipal order.
Copied to CAO and the Public Works, Waste Management & Community Services Committee
- r) Joint Council of Conception Bay North
Minutes of October 27.
Copied to Council
- s) RCMP Survey Centre
Request complete partnership survey
Copied to CAO
- t) Carbonear Collegiate
RE: Remembrance Day Assembly, November 10 at 11:45 am. Request for a representative of council to attend the event
Copied to the Mayor
- u) Residents of the Town
RE: Request for line painting
Forwarded to the Public Works, Waste Management & Community Services committee
- v) Atlantic Construction Elite Service Inc
RE: Traffic calming study
Copied to CAO, Director of Operations & Public Works and the Public Works, Waste Management & Community Services committee

6. Committee Reports

- a) Finance, Human Resources & Administration
Councillor Noel presented the following motions as recommended by the Finance Committee:

Motion 16-257

R. Noel / D. Kennedy

Resolved that the Town of Carbonear enter into a new agreement with the Princess Sheila 50 Plus Club for \$1 with the club being responsible for the electricity costs at the building except for the highest electricity bill of the year that will be paid by the Town.

Favour 6; Opposed 0; **Carried**

Deputy Mayor Butt declared a conflict of interest on the next item as he is a member of the Fire Department. Deputy Mayor Butt left the meeting.

Motion 16-258

R. Noel / B. Trickett

Resolved that the Town of Carbonear approve the purchase of 3 in 1 jackets for the Fire Department to be worn at various fire department functions with \$4,000 to be paid from the 2016 Fire Department budget.

Favour 5; Opposed 0; **Carried**

Deputy Mayor Butt was called back into the meeting.

- b) Recreation, Tourism, Culture
Deputy Mayor Butt presented the following motions as recommended by the Recreation, Tourism and Culture Committee:

Motion 16-259

F. Butt / B. Bowman

Resolved that the Town of Carbonear proceed with applications to required government departments and agencies for approvals and funding to complete the walking trail west off Columbus Drive to Knox's Hole.

Favour 6; Opposed 0; **Carried**

Councillor Bowman noted that he would like to see the application submitted as soon as possible, as it takes a long time to get approvals granted.

Motion 16-260

F. Butt / R. Noel

Resolved that the Town of Carbonear install a 2inch flushing hydrant near the two hockey rinks to provide water to allow for flooding of the rinks in winter for ice surfaces on the two rinks for an estimated cost of \$3,000.

Favour 6; Opposed 0; **Carried**

Motion 16-261

F. Butt / R. Noel

Resolved that the Town of Carbonear make application to the Heritage Foundation of NL under the Fisheries Heritage Community Projects for funding up to a maximum of \$10,000 to paint the exterior of the Rorke Store Museum and other repairs that may be required.

Discussion

CAO advised that it has been determined that the Designated Heritage Buildings do not qualify for funding under this program.

Motion rescinded by F. Butt / R. Noel

Motion 16-262

F. Butt / D. Kennedy

Resolved to adopt the Swimming Pool Operational Policy as presented.

Favour 6; Opposed 0; **Carried**

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

Motion 16-263

F. Butt / R. Noel

Resolved that the Town of Carbonear issue a removal order to the property owner of property situate 177 Water Street to remove truck box placed on the property.

Favour 6; Opposed 0; **Carried**

Motion 16-264

F. Butt / B. Bowman

Resolved that the Town of Carbonear issue a stop work order to property owner of property situate 177 Water Street to cease construction of the wharf.

Favour 6; Opposed 0; **Carried**

Motion 16-265

F. Butt / R. Noel

Resolved that the Town of Carbonear issue a removal order to property owner of property situate at 43 Long's Hill to remove the commercial

dumpster from the property.
Favour 6; Opposed 0; **Carried**

Motion 16-266

F. Butt / B. Trickett

Resolved that the Town of Carbonear install a new street light situate near the intersection on Long's Hill as identified by the Director of Operations & Public Works.

Favour 6; Opposed 0; **Carried**

Councillor Kennedy noted that the concern about the ditching in Irishtown, was more about the opening of the culverts and not the ditch itself. Discussed. Director of Operations and Public Works to evaluate further.

d) Development

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

Motion 16-267

D. Kennedy / B. Bowman

Resolved to approve the following development applications per conditions specified:

- *53 Pikes Lane – Encase the existing front steps with wood per Section 10, Discretionary Powers of Authority and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies*
- *14 Musgrave Street – Construction of a wheel chair ramp with a variance from the side yard requirement of 1.5 m to 1.35 m in accordance with application and plans submitted and per the Town of Carbonear Municipal Plan and Development Regulations and other Town regulations and policies and further conditional upon no objections being received from the variance notice distributed to property owners in the vicinity of the development and if objections are received, further review will be required with Committee and Council.*
- *58A Long's Hill – Construction of a car port in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.
(It was noted by the CAO that this dwelling is located in a rural zone and was likely constructed after the Town Plan and Development Regulations were registered.)*
- *Line Road - Construction of a shed in the 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*
- *45 O'Driscoll's Lane –Relocation of a dwelling in with a variance to the minimum frontage from 15 m to 13.5 m and in accordance with application and plans submitted and, per the Town of Carbonear Municipal Plan and Development Regulations and other Town*

regulations and policies and furthermore conditional upon further review with committee and council if objections are received from the variance notice distributed to property owners in the vicinity.

- *13 Drake's Hill – Replace a patio per the Town of Carbonear Municipal Plan and Development Regulations and per other applicable regulations and policies.*
- *17 White's Road –Construct an accessory building at 17 White's Road with a variance to the maximum size of 81m² to 129.9m² for a total lot coverage of 3.2% and conditional upon the building being constructed in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies and furthermore conditional upon further review with committee and council if objections are received from the variance notice distributed to property owners in the vicinity.*

Favour 6; Opposed 0; **Carried**

Motion 16-268

D. Kennedy / B. Trickett

Resolved that the Town of Carbonear provide a letter of support to Forestry for the an applicant of a saw mill license conditional upon the location of the saw mill being in accordance with the Town of Carbonear Municipal Plan and Development Regulations and conditional upon the location, once identified, being approved by Council.

Favour 6; Opposed 0; **Carried**

Motion 16-269

D. Kennedy / R. Noel

Resolved that the Town of Carbonear approve the request for a variance to the total floor area from 81m² to 102.55m² for a garage situate at 34 White's Road conditional upon no objections received from property owners in the vicinity of 34 White's Road.

Favour 6; Opposed 0; **Carried**

Motion 16-270

D. Kennedy / R. Noel

Resolved that the Town of Carbonear approve the request for a variance to the total floor area from 81m² to 89.2m² for a garage situate at 62 Long's Hill conditional upon no objections received from property owners in the vicinity of 62 Long's Hill.

Favour 6; Opposed 0; **Carried**

Deputy Mayor Butt inquired about a Crown Land Application for Land in Line Road to construct a new dwelling.

Councillor Kennedy advised that this is zoned Residential Rural and the use specified is permitted, however, further information is required on whether this property can connect to the Town's water source due to its proximity to the entry point of the chlorine into the town's water supply.

Inquiry on application for green house on Water Street property.

Councillor Kennedy noted that the proposed application will see an accessory on a parcel of vacant land where a dwelling does not exist in contravention of the Town of Carbonear Municipal Plan and Development. The land is located across the street and does not adjoin

the land with the dwelling on it.

Inquiry on Clarke's Road development of a trailer park, is this trailers or mobile homes.

Councillor Kennedy confirmed it is trailers. The CAO to obtain further information on zoning requirements and whether rezoning will be required prior to approval.

7. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

The CAO reviewed the following items from her report.

1. Surplus Land 41-47 Goff Avenue and Land on Across the Doors.
CAO to proceed to have appraisals completed on these properties.
2. Purchase of building and land – Pike's Lane
Purchase should be completed within a couple of weeks.
3. Ice Control Materials Pick Up at Transportation and Works Site
A copy of the Safety Plan adopted at last meeting has been sent to the Department of Transportation and Works. The Town will follow the plan and complete the information required. Hopefully there will be no issue with picking up ice control materials when town staff go to pick up the materials.
4. Crown Lands Approval to Occupy Railway Bed
This matter will be reviewed further in Committee of Council.
5. Targa Proposal, previously discussed, a meeting will be requested with Targa representatives.
6. Sale of Property on Powell Drive, Slade's Funeral Home request to purchase a small parcel of land from the town to accommodate an extension the existing building.

Motion 16-271

D. Kennedy / F. Butt

Resolved that the Town of Carbonear convey approximately 75 square metres of land to Slade's Funeral Home for the price of \$500, with the purchaser assuming all legal, survey and other costs relating to the purchase.

Favour 6; Opposed 0; **Carried**

7. Emergency Plan

Work is ongoing with the Emergency Plan update. The committee is currently identifying an evacuation plan to include in the Emergency Plan.

8. Meeting Request with the MHA

A meeting request has been sent to the MHA. His assistant has advised that he will get back to us in the near future with a meeting date and time. Topics for discussion have been listed to Council, if there are other items Council would like placed on the agenda, please advise the CAO.

b) Director of Recreation

The Director of Recreation reviewed the following from his report

Pool & Rec Maintenance

1.) Playground Equipment

- 1 - Fitness Structure \$9,895 + \$1,100 freight
- 1 - Play Structure / Swing Combo \$18,100 + \$1,850 freight
- 1 - Double Bay Arch Swing Set \$2,800 + \$449 freight
- Total \$34,194.00 + Tax

Equipment to be supplied by RONA (Henderson Equipment).

Motion 16-272 **R. Noel / B. Bowman**

Resolved that the Town of Carbonear purchase the recommended playground equipment from RONA (Henderson Equipment for the price of \$34,194 + HST.

Favour 6; Opposed 0; **Carried**

- 2.) Ball Hockey Rink - Rinks have been completed. Lines will be added to second rink in the spring.
One for skating, one for hockey, In the spring will be for ball hockey

Financial & Program Analysis

	<u>2016</u>	<u>2015</u>
1.) Pool Revenue –November 7 th (less HST)	\$260,653.40	\$269,766.45
2.) Lesson Registration	1,896	2,012
3.) Pool Visitation	30,009	29,634

Programs & Grants

- 1.) Application has been made for school swimming program. Later applying this year as online application service was being upgraded. Deadline for applications was November 1st and response is supposed to be by months end.
- 2.) All seasonal work and winterization has been completed.

8. Finance

- a) **Operating Invoices:** over \$2000.00 totalling..... \$99,678.54

Motion 16-273 **R. Noel / B. Trickett**

Resolved that the Town of Carbonear approve for payment the list of operating invoices as submitted totaling \$99,678.54.

Favour 6; Opposed 0; **Carried**

- b) **Capital Invoices:**

Street Upgrading & Paving 2015, PN 15-108 (B)

Harris & Associates, Engineering Invoice # 6054.....\$2,817.50

Concord Paving, Release of Holdback.....\$7,099.79

Water, Sewer & Storm Sewer/Bond Street PN 11-126 (MA

17-CWWF-17-00027

Harris & Associates, Invoice # 6056.....\$25,033.09

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

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

Imperial Excavating, CP # 5, Final\$15,252.00

Harris & Associates, Engineering Invoice #6062.....\$27,565.21

Street Upgrading & Paving 2016 (PN 16-107)

Concord Paving, Final Payment.....\$7,951.75

Total Invoices.....\$85,718.34

Motion 16-274

R. Noel / F. Butt

Resolved that the Town of Carbonear approve for payment the list of capital expenditures invoices as submitted totaling \$85,718.34.

Favour 6; Opposed 0; **Carried**

9. Regulations
No Regulations listed

10. New Business
Mayor Butt noted the following events
Thursday Remembrance Ceremony Carbonear Collegiate @ 11:45am
Councillor Noel to attend
Wednesday Remembrance Ceremony Carbonear Academy @ 10:45am
Deputy Mayor Butt to attend
Ceremony at the War Memorial Friday, all are welcome.
Mayor advised he attended the 50th anniversary celebrations of the Knights of Columbus.
Carbonear was named the Tidy Town Award winner for our population category.

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

12. Adjournment
Motion 16-275 **R. Noel / B. Bowman**
Resolved that the meeting adjourn at 4:49 p.m.

The next meeting is scheduled for Tuesday, November 22, 2016 @ 4:00pm.

Mayor George Butt

Cathy Somers, Town Clerk