

Town of Carbonear
Regular Council Meeting, December 7th, 2009
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, December 7th, 2009 at 7:30pm

Members Present: Mayor Sam Slade
Councillors Ches Ash
David Kennedy
Betty Forward
Ed Goff
Gladys Mercer

Also Present: Town Clerk Cathy Somers
Town Administrator Cynthia Davis
Director of Operations & Public Works Brian O'Grady

Members Absent: Councillor George Butt Jr.
Director of Recreation & Tourism Rob Button

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1. Calling of Meeting to Order
Mayor Slade called the meeting to order at 7:40pm and welcomed those present.

 2. Adoption of Minutes
 - a) November 24, 2009 Regular Meeting
Motion 09-338 **E. Goff / B. Forward**
Resolved that the minutes of the November 24th, 2009 Regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**
 - b) November 24, 2009 Privileged Meeting
Motion 09-339 **D. Kennedy / B. Forward**
Resolved that the minutes of the November 24th, 2009 Privileged meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**

 3. Business Arising From Minutes
 - ▶ Motions to be ratified from the November 24, 2009 Privileged Meeting
Mayor Slade asked that Motion SPE 09-11-24-001 be ratified.
Councillor Mercer indicated that the motion was not worded as she intended it to be, she then re-worded the motion.
Motion 09-340 **G. Mercer / D. Kennedy**
Resolved that the Town of Carbonear meet with the Princess Sheila Seniors to discuss the option of entering into a lease agreement which stipulates that the operational expenses for the upper floor would be the Lessee responsibility, and
Be It Further Resolved that if the Princess Sheila Seniors are not willing to enter into a lease agreement with the Town, then the Town will assume

control of the building with Council having full control of who uses the building.

Favour 6; Opposed 0; **Carried**

Mayor Slade asked that Motion SPE 09-11-24-002 be ratified.

Motion 09-341

E. Goff / B. Forward

Whereas the Town of Carbonear would like to extend recognition and appreciation to their staff members,

Be It Resolved that the Town of Carbonear hold a Christmas Luncheon for Staff and Council, providing lunch and refreshments.

Question: Councillor Ash noted that the motion does not include wording to indicate the amount to be spent on alcoholic beverages for this event, and that all purchases of alcoholic beverages according to policy are to be pre-approved by Council, therefore the amount should be included in the motion.

Favour 5; Opposed 1; **Carried**

Councillor Ash opposed the motion because he felt that the motion should include the amount approved for the purchase of alcoholic beverages for the event.

Mayor Slade asked that Motion SPE 09-11-24-003 be ratified.

Motion 09-342

G. Mercer / C. Ash

Resolved that the Town of Carbonear approve the Town Manager and/or Town Clerk and the Mayor and/or Deputy Mayor to sign the Water and Sewer Line Easement over lands extending from Cross Roads

Favour 6; Opposed 0; **Carried**

4. Delegations

None listed.

5.1 Correspondence, Permits & Development

5.2 Correspondence, Requiring Council's decision.

- a) Municipal Assessment Agency, Ballots for the positions of Avalon and Urban Director. Deadline for submission of completed ballot is 4:00pm December 18, 2009. Council to consider nominees and determine which candidate to vote for. Information received from candidates is copied and placed in Councillors trays as they are received.

This matter can be deferred until the December 7th meeting.

Candidates correspondence received to date:

Avalon Director: Deborah A. Quilty, Councillor, Town of Paradise

Paul Davis, Deputy Mayor, Town of Conception Bay South

Gerald Greenland, Councillor, Town of Bay Roberts

Urban Director: Elmo Bingle, Councillor, Town of Deer Lake

Town Administrator noted that there was a call from a Councillor with the Town of Paradise running for the Urban Director's position.

Councillor Goff suggested that Council vote for Mr. Gerald Greeland as Avalon Director. Deputy Mayor Ash concurred.

Motion 09-343

E. Goff / C. Ash

Resolved that the Town of Carbonear vote for Gerald Greenland, Town of Bay Roberts for the position of Avalon Director with the Municipal Assessment Agency.

Favour 6; Opposed 0; **Carried**

- b) Proposal for Historical Research Project for the Loyal Orange Lodge #13, Request for letter of support.

Discussed.

Motion 09-344

G. Mercer / C. Ash

Resolved that the Town of Carbonear provide a letter of support to the Loyal Orange Lodge #13 for their proposal for an Historical Research Project for the Loyal Orange Lodge.

Favour 6; Opposed 0; **Carried**

5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) NL Public Health Laboratory, Test results of water samples collected Nov 9, 2009 at J. Bemister's and the Department of Justice. All test results marked satisfactory. Placed on file.
- b) Department of Municipal Affairs, Provision of 2010 Budget forms and Notification of extension to the deadline for submission of the 2010 Budget from December 31, 2009 to January 31, 2010 due to the fact that the Municipal Election was held in 2009. Letter copied to Council. Placed on file.
- c) Letter from visitor to Carbonear, Re. Downtown area of Carbonear. Copied to Council. Referred to Committee.
- d) Eastern Waste Management, Notification of adoption of the 2010 budget and user fee structure for the Regional Integrated Waste management Facility located at Robin Hood Bay. Copied to Council. Placed on file. Referred to the Finance, Human Resource and Administration Committee for consideration in the budget process.
- e) Municipal Plan Amendment No. 11, 2009 & Development Regulations Amendment No. 17, 2009 (Public Buildings to Residential Medium Density - St. Clare Avenue and Chapel Hill) Referred to the Development, Cultural and Tourism Initiatives and recommended for approval by Council.

6. Committee Reports

a) Finance, Human Resource and Administration

Deputy Mayor Ash advised that the Committee has been busy preparing the 2010 budget for presentation to Council. The Committee has not yet finalized the draft to be presented to Council. The Committee did meet with members of the Recreation Commission and reviewed their budget request and also reviewed the Fire Department's Budget request. The Committee will continue to work on the 2010 budget for presentation to Council.

b) Development, Cultural and Tourism Initiatives

Councillor Kennedy presented the recommendations of the Committee:

Councillor Mercer declared a conflict of interest on permit #4555 and left the Council Chambers.

Motion 09-345

D. Kennedy / B. Forward

Resolved that the Town of Carbonear approve the list of permits #4554 - 4560

Favour 6; Opposed 0; **Carried** 4554-4560

Councillor Mercer was called back into the meeting.

Motion 09-346

D. Kennedy / C. Ash

Under the authority of Section 16, Section 11 and Section 18 of the Urban and Rural Planning Act, the Town Council of Carbonear

a) *Adopted the Carbonear Municipal Plan Amendment No. 11, 2009 and Development Regulations Amendment No. 17, 2009 on the 3rd day of November, 2009*

b) *Gave notice of the adoption of the Town of Carbonear Municipal Plan Amendment No. 11, 2009 and Development Regulations Amendment No. 17, 2009 by advertisement inserted on the 10th day and the 17th day of November, 2009 in The Compass newspaper.*

c) *Set the 2nd day of December, 2009 at 7:30pm at the Town Hall, Carbonear for the holding of a public hearing to consider objections and submissions.*

Now under Section 23 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear approves the Town of Carbonear Municipal Plan Amendment No. 11, 2009 and Development Regulations Amendment No. 17, 2009 as adopted.

Favour 6; Opposed 0; **Carried**

7. Reports from Town Administrator and Department Heads

a) Director of Operations and Public Works

Brian reviewed his report with Council.

Councillor Goff suggested that additional flashing lights to be installed on the jersey barriers on Gut Bridge. He noted that he thinks it not easily identified upon approach and that additional lighting would improve the situation. Discussed. Brian to investigate additional lighting.

Councillor Ash asked if some of the smaller lanes are missed on the Pick Up Truck route. Brian advised that with light snowfalls, the pick-up will do all the smaller lanes as listed on the schedule, but if there is a heavier snow fall, as was this past storm, sometimes the pickup can't plow through it, and the loader or backhoe will be brought in to clear that street.

Councillor Kennedy asked if the grader was working. Brian advised it is.

Councillor Goff asked if the snow clearing crews encounter any problems with cars parked in the road way. Brian advised that the operators usually work with the vehicle owners and if a car is blocked in they will plow around it and then when the owner can get it out, then the crews will go back to plow it again after they have moved the vehicle.

8. Finance

- a) List of Operating Invoices, totaling \$36,409.66.

Motion 09-347

G. Mercer / C. Ash

Resolved that the Town of Carbonear approve the list of invoices totaling \$36,409.66 as presented to Council.

Favour 6; Opposed 0; **Carried**

9. Regulations - None listed

10. General Business

- a) Beautification/Environmental Concerns

Councillor Mercer advised that there are several properties that need to be addressed by issuing Demolition and/or Clean Up Orders to the property owners.

Motion 09-348

G. Mercer / D. Kennedy

Resolved that the Town of Carbonear issue the following orders:

Clean Up Order to the property owner of 37 Valley Road

Clean Up Order to the property owner of 180-182 Highroad South

Demolition Order to the property owner of 57A Valley Road

Demolition Order to the property owner of 11-13 Gould's Road

giving 30 days notice to comply with the order.

Favour 6; Opposed 0; **Carried**

- b) Councillor Mercer suggested that Council send an invitation to the Heritage Committee to invite them to meet with Council in January, 2010.
- c) Deputy Mayor Ash advised Council that a former resident of Carbonear, Curtis Andrews, achieved two very distinguished awards just recently and he asked that a letter of congratulations be forwarded to Mr. Andrews.

Council agreed. Town Administrator to forward letter of congratulations to Mr. Andrews. Councillor Goff noted that the Andrews brothers have a performance

at the Theatre in December, and it would be nice to acknowledge the accomplishment during that event. Council agreed to both recommendations.

- d) Councillor Mercer suggested that Council send a letter of congratulations to the Fire Department on the successful Santa Claus parade this year.

Councillor Mercer encouraged other companies to participate with floats in the parade.

Council agreed. Town Administrator to forward letter of congratulations as suggested.

- e) Councillor Goff noted that the tree lighting went well and was very successful with a good turn out, over 300 people were in attendance.

Councillor Goff suggested that in other years, he would like to see Christmas lights installed on the train car, or we could consider the possibility to have it lighted all year long.

Discussed. Councillor Forward to pass along the suggestion to the Special Events Committee.

11. Notices of Motion - None filed.

12. Adjournment

Motion 09-349

C. Ash / B. Forward

Resolved to adjourn the meeting at 8:24 p.m.

Mayor Sam Slade

Cathy Somers, Town Clerk