

Town of Carbonear
Regular Council Meeting, October 7, 2008

Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, October 7, 2008 at 7:30pm

Members Present: Mayor Sam Slade
Deputy Mayor Ned Slade
Councillors Gladys Mercer
Jim Burden
Terry Emberley
John Comerford
Fred Earle

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

Members Absent: Director of Recreation & Tourism Rob Button

1. Calling of Meeting to Order
Mayor called the meeting to order at 7:32pm and welcomed everyone present at the meeting.
2. Adoption of Minutes
 - a) September 22nd, 2008 Regular Meeting
Motion 08-247 **G. Mercer / F. Earle**
Resolved that the minutes of the September 22nd, 2008 Regular meeting of council be adopted as presented.
Favour 7; Opposed 0; **Carried**
3. Business Arising From Minutes
 - ▶ Councillor Earle asked if a meeting has been set up to discuss the development plan and agreement for Willoughby Extension. Town Administrator advised she will try to get a meeting scheduled between the lawyer, engineer and town representatives as soon as possible. Council indicated that this project must be ready as soon as possible, and not later than early next spring.
4. Delegations
- 5.1 Correspondence, Permits & Development
 - a) Permit Listing, #4190 - #4208
Councillor Earle declared a conflict on Permit # 4191 and Councillor Mercer declared a conflict on Permit #4195.
Motion 08-248 **G. Mercer / F. Earle**
Resolved that the Town of Carbonear approve the permit listing, #4190 - #4208,

excluding #4191 and #4195.

Favour 7; Opposed 0; **Carried**

Councillors Mercer and Earle left the meeting.

Motion 08-249

T. Emberley / E. Slade

Resolved that the Town of Carbonear approve permits #4191 and #4195 as presented on the list of permits.

Favour 5; Opposed 0; **Carried**

Councillors Mercer and Earle were called back into the meeting.

5.2 Correspondence, Requiring Council's decision

- a) Department of Municipal Affairs, Office of the Minister, Re. 2008 Municipal Capital Work Program, Project No. 08256, granting approval of the additional funding in the amount of \$104,624 to supplement the existing fundin in the amount \$580,000 for additional repair and enhancements related to Tropical Storm Chantal Damages. Council to complete and sign the agreement on this matter. Requires resolution of Council.

Motion 08-250

F. Earle / E. Slade

Resolved that the Town of Carbonear authorize the Mayor and the Town Clerk to enter into the 2008 Municipal Capital Works Program Agreement for Project 08256 in the amount of \$684,624 (\$580,000 + \$104,624) for repairs and enhancements related to Tropical Storm Chantal damage.

Favour 7; Opposed 0; **Carried**

Mayor and Town Clerk to sign contract.

- b) Department of Municipal Affairs, Office of the Minister, Re. Tropical Storm Chantal, Flood Damage Repairs, Project No. 07906, Approval to award contract. Requires motion of Council.

Motion 08-251

E. Slade / J. Comerford

Resolved that the Town of Carbonear award the contract for Tropical Storm Chantal, Flood Damage Repairs, Project No. 07906 to Concord Paving Ltd. for the amount of \$948,028.19 as recommended by the consulting engineer.

Favour 7; Opposed 0; **Carried**

5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) Resident, Complaint of large commercial vehicles parked in the triangular space created by the merge of Adelaide Street, Pikes Lane and Valley Road.

Council asked that the Enforcement Officer respond to this complaint and address the situation.

- b) Destination St. John's, Fall Newsletter, Membership Update form and notices of advertising opportunities for their 2009 map and guide.

Referred to Rob for consideration.

- c) NL Public Health Laboratory results for water samples collect September 16, 2008 at Dept. of Justice and J. Bemister's Hill.

Test results satisfactory. Placed on file.

- d) Resident, Offer to purchase property at 3 Woodwynd Heights.
Referred to the Finance Committee for consideration.
- e) Resident, Request to renumber property on another street.
Referred to the Development Committee.
- f) Department of Municipal Affairs, Circular to Municipalities, Re. 2009 Budget Preparations.
Referred to the Finance Committee.
- g) Museum Assessment Report Card for Rorke Store Museum and Loft, Carbonear.
Referred to the Town Administrator for consideration.
- h) Resident, Information on dog grooming businesses in other municipalities.
Referred to the Development Committee.
- i) Resident, Complaint that maple trees on the corner of Quarters Lane and Water Street is obstructing traffic.
Referred to the Works Committee.
Town Administrator to write and advised that Council does not think that this is an obstruction,
- j) Information on Party Leaders' Debate on Environment: Oct 8 on CBC.
Copied to Council for their information.
- k) Department of Municipal Affairs, Circular to Municipalities, Re. Photograph of Queen Elizabeth II.
Framed and placed in Council chambers.

6. Committee Reports

- a) Development Committee
Committee recommends the following motions:
 - Motion 08-252** **J. Comerford / F. Earle**
Resolved that the Town of Carbonear approve a permit for an extension to the accessory building located at 59 Adelaide Street as per the application and plan submitted.
Favour 7; Opposed 0; **Carried**
 - Motion 08-253** **J. Comerford / F. Earle**
Resolved that the Town of Carbonear contract Plantech to prepare an amendment to allow for accessory buildings to be constructed in front of the main building in Seasonal Residential zones with the developer responsible for the cost of the amendment. The cost of amendment would have to be paid up front by the developer.
Favour 7; Opposed 0; **Carried**
- c) Whitescorpion Tattoos, Application to operate a tattoo shop at 193 Water Street.
Town Administrator advised that the application meets the requirements of the Town Plan and Development Regulations
Motion 08-254 **J. Comerford / G. Mercer**
Resolved that the Town of Carbonear approve a permit for a Tattoo shop at 193 Water Street, subject to receipt of GSC approval if required on the application and subject to the Carbonear Municipal Plan and Development Regulations.
Favour 7; Opposed 0; **Carried**
- d) Macho Pizza, Application to operate a pizza shop at 125 Columbus Drive.
Town Administrator advised that the application meets the requirements of the Town

Plan and Development Regulations

Motion 08-255

J. Comerford / J. Burden

Resolved that the Town of Carbonear approve a permit for a Pizza Shop at 125 Columbus Drive, subject to receipt of GSC approval if required on the application and subject to the Carbonear Municipal Plan and Development Regulations.

Favour 7; Opposed 0; **Carried**

b) Finance Committee

Committee recommends the following motions:

Motion 08-256

J. Comerford / G. Mercer

Resolved that the Town of Carbonear accept the offer received on the property of 3 Woodwynd Heights subject to the purchaser assuming all legal and survey cost associated with the purchase.

Favour 7; Opposed 0; **Carried**

Motion 08-257

J. Comerford / G. Mercer

Resolved that the Town of Carbonear amend their travel policy to adjust the per kilometre rate to match the provincial government rate, which is adjusted on a quarterly basis.

Favour 7; Opposed 0; **Carried**

Motion 08-258

J. Comerford / G. Mercer

Resolved that the Town of Carbonear adjust the water/sewer tax and applicable interest on account 10235 for 2008, as the house was not in a habitable condition for 2008 and has since been torn down.

Favour 7; Opposed 0; **Carried**

Motion 08-259

J. Comerford / T. Emberley

Resolved that the Town of Carbonear issue an adjustment of \$1,000 on the interest on Account 11568, subject to receipt of payment of the remaining balance on the account.

Favour 7; Opposed 0; **Carried**

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Town Administrator did not have a report to file with Council.

b) Director of Operations and Public Works

Brian reviewed his report with Council.

Council noted that the detours throughout town were paced throughout the summer and well planned and now this infrastructure has been replaced and improved and will last for many years to come. Powell Drive should be open for traffic flow within two weeks. We will have to plan for detours for the Gut Bridge replacement as well.

▶ **Motion 08-260**

F. Earle / J. Burden

Resolved that the Town of Carbonear purchase a new blade face for the plow on the Top Kick truck at a cost of \$2,995 + HST.

Favour 7; Opposed 0; **Carried**

▶ Councillor Mercer asked about a bulk garbage pick up. Town Administrator has had some discussion with the Mayor for options for 2009. People have been advised that we have had our bulk garbage pick up completed for 2008 and there are no funds remaining in this budget category.

Town Administrator and the Director of Operations and Public Works will review

options available.

Chesterfields dropped off in English Hill Extension this week.

Mayor noted that it is illegal to dump litter on the countryside, or within town. The Enforcement Officer is pursuing this matter with the RCMP

Town Administrator will prepare a report to Council on this matter

- ▶ Councillor Earle asked about Woodwynd Heights, is the crushed stone going to stay there or will that be paved. Brian advised this will be addressed in the next phase of Chantal repairs.

8. Finance

No finance matters presented.

9. Regulations

No regulations filed.

10. General Business

- ▶ Deputy Mayor Slade advised that the Special Events held its election for its executive.
Chairperson, Diane Butt
Vice-Chairperson, Rick Slade
Secretary, Denise Jackman
Treasurer, Bev Morgan
Publicity Chair, Wanda Butt
The Special Events Committee have also suggested some new members for the Committee. Council to discuss the new members at a later meeting.
Town Administrator to send letters of thanks to the former Executive members for their commitment and success; and to send letters of congratulations to the new Executive members.
- ▶ Councillor Earle requested that Council send a letter of congratulations to Marilyn Gear on her recent appointment to the Heritage Foundation of Newfoundland and Labrador.
Mayor Slade to send letter on behalf of Council.
- ▶ Mayor Claude Garland Memorial Walk in aid of the Heart & Stroke Foundation.
Mayor Slade reminded Council that the Annual Mayor Claude Garland Memorial Walk for Heart and Stroke will take place on Monday, October 20th, 2008 at 7:00 at the Community Centre.
Mayor Slade encourages all Council, staff and residents to participate in this worthwhile event.
The Heart and Stroke foundation will be providing advertising and T-Shirts for the event.

11. Notices of Motion

No notice of motion was filed.

12. Adjournment
Motion 08-261 to adjourn at 8:25pm.
Favour 7; Opposed 0; **Carried**

G. Mercer / J. Comerford

Mayor Sam Slade

Cathy Somers, Town Clerk