

Town of Carbonear
Regular Council Meeting, November 6th, 2017
Minutes of a regular meeting of the Council of the Town of Carbonear
Held in Council Chambers, November 6th, 2017 at 5:00pm

Members Present: Mayor Frank Butt
Deputy Mayor Chris O'Grady
Councillors Danielle Doyle
Ray Noel
Vic Jenkins
Amanda Hulan
David Kennedy

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

1. Calling of Meeting to Order
Mayor Butt welcomed everyone to the meeting and called the meeting to order at 5:00pm.
2. Adoption of Minutes
 - a) Regular Meeting – October 16, 2017
Motion 17-257 **R. Noel / V. Jenkins**
Resolved that the minutes of the October 16, 2017 Regular meeting of Council be adopted as presented.
Favour 7; Opposed 0; **Carried**
 - b) Special Meeting – November 1, 2017
Motion 17-258 **C. O'Grady / A. Hulan**
Resolved that the minutes of the November 1, 2017 Special meeting of Council be adopted as presented.
Favour 7; Opposed 0; **Carried**
3. Business Arising From Minutes
No business arising.
4. Delegations
 - a) None listed.
5. Correspondence, Permits & Development
 - a) Permit listing # 7882, 7938, 7965, 7987, 8008, 8019, 8022-8028, 8030-8035, 8037-8042, 8045, 8048-8052
Mayor Butt declared a conflict on permit #8037 as it is for his brother.
Motion 17-259 **D. Doyle / V. Jenkins**
Resolved to approve the list of permits # 7882, 7938, 7965, 7987, 8008, 8019, 8022-8028, 8030-8035, 8038-8042, 8045, 8048-8052 as per applications received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable

regulations and policies.

Favour 7; Opposed 0; **Carried**

Mayor Butt then left the meeting.

Deputy Mayor O'Grady assumed the chair.

Motion 17-260

D. Doyle / R. Noel

Resolved to approve permit # 8037 as per application received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 6; Opposed 0; **Carried**

Mayor Butt was called back into the meeting and assumed the chair.

- b) 86 Powell Drive – Construct a new building to operate a Mary Browns Restaurant

Motion 17-261

D. Doyle / R. Noel

Resolved to approve a permit to sub-divide property at 80 Powell Drive and to approve construction of a new building on the new sub-divided lot at 86 Powell Drive for a restaurant/take out as per application received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 7; Opposed 0; **Carried**

Inquiry as to whether there is sufficient room for a drive through. It was noted that the drive through has sufficient space as it goes right around the building.

- c) 26 Earle's Lane – Variance to side yard

Motion 17-262

D. Doyle / V. Jenkins

Resolved to approve a permit to construct a single dwelling at 26 Earle's Lane subject to receiving no objections to the variance to reduce the side yard from 1.5m to 1.4m as per application received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 7; Opposed 0; **Carried**

- d) 144 Valley Road – Variance to floor area

Motion 17-263

D. Doyle / A. Hulan

Resolved to approve a variance to the floor area of the accessory building on 144 Valley Road from 50m² to 83.7m² as per Section 10 of the Development Regulations, Discretionary Powers of Council; and in accordance with 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 action taken on the following correspondence:

- a) MP, Ken McDonald Office
Invitation for council to attend open house at the constituency office in CBS on November 16 from 4-7 pm
Copied to Council.
Forwarded to Recreation, Tourism & Culture committee
- b) Mariner Resource Opportunities Network Inc. (MRON)
Invitation for the Director of Recreation to attend Appreciation Night on

November 30.

Copied to the Director of Recreation.

- c) Community Handicapped Association
Request for donation for the annual party.
Forwarded to the Finance & Administration Committee.
Included on the 2017 list of approved donations. Cheque in the amount of \$50 to be completed.
- d) Carbonear Collegiate
Request for the Mayor or a representative of Council to attend the Remembrance Day Assembly on Thursday, November 9 @ 11:30 am.
Copied to the Mayor.
- e) U-Turn Drop In Centre
RE: 2nd Annual Walk for National Addictions Awareness Week, starting 7 pm on Tuesday, November 14th followed by presentations and at the Knights of Columbus.
- f) North Atlantic
RE: Oil Storage Tank expiry notification, Swimming Pool
Copied to CAO and Director of Recreation.
- g) House of Assembly – Paul Davis, MHA
RE: Congratulations to newly elected council
Copied to Council, placed on file.
- h) WHSCC
RE: Prime Audit for 2015 and 2016
Copied to CAO.
- i) MMSB
RE: Community Waste Diversion Program
Forwarded to Public Works, Waste Management & Community Services committee.
- k) Heritage Foundation of NL & Labrador
RE: Rorke Store Registered Heritage Structure – decision not to disburse funds for maintenance grant.
Forwarded to CAO, EDTO and Recreation, Special Events, Culture & Tourism committee.
- l) Dog Park User
Request for lighting in the park and a request to keep the dog park open year round.
Forwarded to Recreation Committee.
- m) Property owner, Hoyles Road
Requesting a visit from Director of Operations and Public Works to discuss a safety concern.
Forwarded to the Director of Operations and Public Works.
- n) Individual regarding vehicle damage
Forwarded to Public Works, Waste Management & Community Services Committee.
- o) Canadian Heritage
RE: 2018 Application form for funding to Celebrate Canada
Forwarded to the CAO, EDTO, Director of Recreation & the Recreation, Special Events, Culture & Tourism committee.
- p) Correspondences from council members requesting support for the upcoming elections
- Councillor Sterling Willis, Avalon Director, MAA

- Councillor Peter Petipas, Small Towns Director, Municipalities NL
- Mayor Andre Myers, Small Towns Director, Municipalities NL
- Mayor Craig Williams, Avalon Director, Municipalities NL

Copied to Council.

- q) Pool Patron
RE: Concern with space for change room
Forwarded to Recreation, Special Events, Culture & Tourism.
- r) Property owner, Gladstone Lane
Re: Inquiry on combining property.
Forwarded to Development Committee.
- s) Property owner, Hiscock's Lane
RE: Relocation of right of way.
Forwarded to Development Committee.
- t) Department of Municipal Affairs
 - Call for applications for Municipal Capital Works Funding programs
Forwarded to CAO, Public Works, Waste Management & Community Services Committee
 - 2017 Premier's Forum on Local Government scheduled for Wed, Nov. 1 at the MNL convention
Forwarded to CAO & Council.
- u) Property owner, Discovery Place
RE: Crosswalk on Scarlett Ridge
Forwarded to Public Works, Waste Management & Community Services committee.
- v) MMSB
RE: Community Waste Diversion Program
Forwarded to Public Works, Waste Management & Community Services committee.
- w) Carbonear Academy
Invitation for Council to attend the Remembrance Day Assembly on Wednesday, November 8 @ 10:30 pm
Copied to Council.
- x) Eastern Regional Service Board
RE: ERSB has adopted its 2018 budget for the delivery of waste management services and user fee structure at Regional Waste Management Facility located at Robin Hood Bay from April 1, 2018 = March 31, 2019 will be: (Landfill bound material will cost \$67.60 per metric tonne and recyclable materials will cost \$20 per metric tonne. These fees have remained the same since 2014, no increase.
Copied to CAO and Town Clerk, placed on file.

6. Committee Reports

- a) Public Works, Waste Management & Community Services
Motion 17-264 **V. Jenkins / C. O'Grady**
Resolved that the Town of Carbonear install a new street light situate 64 Forest Road in accordance with the Street Light Policy as identified by the Director of Operations & Public Works.
Favour 7; Opposed 0; **Carried**
- b) Development
Motion 17-265 **D. Doyle / R. Noel**

Resolved to send the following removal orders to the properties specified:

- *43 Pike's Lane – Remove an accessory building constructed contrary to the Town of Carbonear Municipal Plan and Development Regulations*
- *48 Valley Road – Remove an accessory building constructed contrary to the Town of Carbonear Municipal Plan and Development Regulations*
- *19 Earle's Lane / Power Heights – Remove an accessory building constructed contrary to the Town of Carbonear Municipal Plan and Development Regulations.*
- *114A Water Street – Remove an accessory building constructed contrary to the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

Motion 17-266

D. Doyle / C. O'Grady

Resolved to approve the application to construct an accessory building at 104 Valley Road conditional upon the building being constructed in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other 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 there are objections, the application to be further reviewed with Committee and Council.

Favour 7; Opposed 0; **Carried**

Motion 17-267

D. Doyle / D. Kennedy

Resolved to approve the relocation of the right of way to the north of the garage situate at 6 Hiscock's Lane upon receipt of the referral from the provincial department responsible from Crown Lands and upon the condition that the Town of Carbonear is not responsible for any costs associated with this approval including but not limited to survey and legal work.

Favour 7; Opposed 0; **Carried**

c) Finance and Administration

Deputy Mayor O'Grady noted that we had a successful Mayors Walk in aid of the Heart & Stoke. Heart & Stroke have advised that they will donate a defibulator to the Carbonear Fire Dept. Since the inception of the Claude Garland Memorial Walk for Heart and Stroke, Carbonear has raised over \$60,000 for the cause. Deputy Mayor O'Grady presented the following motion as recommended by the Finance and Administration Committee.

Motion 17-268

C. O'Grady / R. Noel

Resolved to approve the use of the funds remaining in the Fire Department Capital Expenditures Budget in the amount of \$4,300 for equipment for the Fire Department.

Favour 7; Opposed 0; **Carried**

7. Reports of Chief Administrative Officer and Department Heads

a) **Chief Administrative Officer**
Gas Tax Project and Other Capital Paving

Work is ongoing on the Beach. The contractor is also working on Rusted Place, however, there has been frequent leaks since the work began. Council should give consideration to replacing the water main and the service lines between the main and the property boundaries as these are leaking as well. The Director of Operations and Public Works has requested an estimate of the cost to replace the water main. If it is not replaced, it can be expected that there will be leaks and there will be a number of cuts in the new asphalt.

Director of Operations added that he hoped to have an estimate today, however it hasn't been received yet. Will need to call for a special meeting when the estimate is received.

Downtown Revitalization Design Concepts

A reminder that Tract Consulting will be completing the public presentation on Wednesday, November 15 @ 7 pm. Written notices has been sent out to downtown businesses as requested. A notice has also been placed on the Town's website and Facebook and Twitter.

Eastern Regional Appeal Board Hearings

Tuesday, November 14 is the hearing date for the 2 Gladstone Road Appeal. **Municipal Plan and Development Regulations Amendment—Crocker's Cove Point**

The report has been received from the Commissioner with recommendations. The report has also been reviewed by the Planner hired by the Town who has provided recommendations as well. This will be reviewed further in the Development Committee who will make their recommendations to Council on how to proceed. I recommend that Council as a whole meet to review and discuss with the Development Committee prior to making a final decision.

Financial Report

Attached is a Financial Report to the end of September. I have attached a summary to the computer generated report from the system with a table showing the expenditures compared to budget in each department as well as the percentage spent. In addition, I have also provided notes identifying categories that are over budget. Please note that all department totals are within budget to date.

CAO reviewed some specific items, and advised that the report could be reviewed in further details in the Finance and Administration committee.

Depot Project

The depot project is ongoing but the construction duration has extended beyond the initial schedule. This has required additional construction management services by the consultant. The estimate for the additional fees for this service is \$4,500. A motion of Council is required to approve the additional construction management services required.

Motion 17-269 V. Jenkins / D. Doyle

Resolved to approve additional construction management services by Amec Foster Wheeler in the amount of \$4,500.

Favour 7; Opposed 0; **Carried**

Councillor Noel asked how much longer until the Depot project is completed. Director of Operations and Public Works advised it should be completed by November 30.

Additional Change Orders for Depot Project

Flashing for new overhead Doors \$5,123.38

New Door (Includes door, closer, hinges, weather stripping, threshold, lockset) \$1,621.67

Re-wiring for 347V to 120V LED Lighting \$1,200.00

Total \$7,945.05

The Director will be reviewing further to determine if total costs can be reduced, however, he is requesting an approval to not exceed \$7,945.05.

Motion 17-270 V. Jenkins / C. O'Grady

Resolved to approve change orders on the Works Depot project for supply and installation of flashing, new door (and related materials and hardware) and rewiring for LED Lights , where costs are not to exceed,\$7,945.05.

Favour 7; Opposed 0; **Carried**

Oil Tank at Carbonear Pool

The expiry on the oil tank at the pool is the end of November. The fuel company will not fill the tank once it expires. The Director of Recreation has obtained the following quotes for replacement of the tank:

Option 1: Double Bottom, Double Head Steel tank with leak detection 900 l(Certification up to 25 years) \$2,363.08 tax included

Option 2: Single Wall Fiberglass tank 900 l (Certification up to 50 years) \$2777.66 tax included

For an additional \$414.58 the tank will be certified for 50 years. This appears to be the most cost efficient option.

Motion 17-271 R. Noel / A. Hulan

Resolved to purchase and install a new oil tank for the Carbonear Swimming Pool at a cost of \$2,777.66 tax included.

Favour 7; Opposed 0; **Carried**

8. Finance

- a) Operating Invoices over \$2,000.00 totaling.....\$25,990.86

Motion 17-272 C. O'Grady / R. Noel

Resolved that the Town of Carbonear approve for payment the list of invoices as submitted totaling \$25,990.86.

Favour 7; Opposed 0; **Carried**

- b) Capital Invoices

Bridge Replacement – Crocker's Cove Bridge

Concord Paving, PN – 16-113, Release of holdback.... \$14,711.20

Motion 17-273 C. O'Grady / V. Jenkins

Resolved that the Town of Carbonear approve for payment capital invoice for Concord Paving, PN-16-113, Bridge Replacement – Crocker's Cove Bridge - Release of holdback in the amount of \$14,711.20.

Favour 7; Opposed 0; **Carried**

9. Regulations

None listed.

10. New Business

Mayor Butt advised that he and Deputy Mayor O'Grady and Councillor Noel attended the MNL conference in Corner Brook this past weekend and he noted that Carbonear was given an award for the Tidy Towns competition for a photo that was submitted.

Also, the community bonfire is at 7pm tonight. He encouraged council members to attend.

11. Notices of Motion

Moved by V. Jenkins, seconded by C. O'Grady

Notice of Motion to adopt the Fire Department Regulations.

12. Adjournment
Motion 17-274 **C. O'Grady / R. Noel**
Resolved that the meeting adjourn at 5:35 p.m

Mayor Frank Butt

Cathy Somers, Town Clerk