

Town of Carbonear
Regular Council Meeting, May 14th, 2019
Minutes of a regular meeting of the Council of the Town of Carbonear
Held in Council Chambers, May 14th, 2019 at 5:30pm

Members Present: Mayor Frank Butt
Deputy Mayor Chris O'Grady
Councillors Danielle Doyle (Remote Attendance)
Ray Noel
Vic Jenkins
David Kennedy

Also Present: CAO Cynthia Davis
Town Clerk Cathy Somers
Director of Operations & Public Works Brian O'Grady
Director of Recreation Rob Button
EDTO Kerri Abbott

Absent: Councillor Amanda Hulan

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1. Calling of Meeting to Order
Mayor Butt called the meeting to order at 5:35pm and welcomed everyone to the meeting.
 2. Adoption of the Agenda for May 14, 2019 Regular Meeting
Motion 19-126 R. Noel / C. O'Grady
Resolved to adopt the agenda as presented for the May 14th, 2019 Regular Meeting of Council.
Favour 6; Opposed 0; **Carried**
 - 2.1 Adoption of the minutes
 - a) Regular Meeting – April 23, 2019
Motion 19-127 V. Jenkins / C. O'Grady
Resolved to adopt the minutes of the April 23, 2019 Regular Meeting of Council.
Favour 6; Opposed 0; **Carried**
 3. Business Arising From Minutes
No business arising
 4. Delegations
 - a) Provincial Team NL U16 players
Some members of the 2018 Provincial Team NL U16 softball players were in attendance and notified Council that the Softball Canada U19 Fastpitch Championships will be held in Carbonear in August, 2020. As well the

Eastern Canadian U16 Softball Fastpitch Championships will be held in Carbonear on August 16-18th, 2019.

Councillor Noel thanked Councillor Kennedy for his commitment to the sport of softball in our area. Thanks also to the many volunteer organizers and coaches who give of their services to provide a great softball program in Carbonear.

5. Correspondence, Permits & Development

a) Permit Listing # 8553-8564, 8566-8585, 8587-8588

Mayor Butt declared a conflict of interest on permit 8556, as this permit is for his brother and on permit 8579 as it is for his mother.

Councillor Kennedy declared a conflict of interest on permit 8563 for himself.

Councillor Jenkins declared a conflict of interest on permit 8568 for himself.

Motion 19-128

D. Doyle / C. O'Grady

Resolved to approve permits # 8553-8564, 8566-8585, 8587-8588 excluding Permits #8556, 8579, 8563 and 8568 as per applications received and conditional up on the work being completed 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 left the meeting and Deputy Mayor O'Grady assumed the chair.

Motion 19-129

D. Doyle / V. Jenkins

Resolved to approve permits # 8556 and 8579 as per applications received and conditional up on the work being completed in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 5; Opposed 0; **Carried**

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

Councillor Kennedy then left the meeting.

Motion 19-130

D. Doyle / R. Noel

Resolved to approve permit # 8563 as per applications received and conditional up on the work being completed in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 5; Opposed 0; **Carried**

Councillor Kennedy was called back into the meeting.

Councillor Jenkins then left the meeting.

Motion 19-131

D. Doyle / C. O'Grady

Resolved to approve permit # 8568 as per applications received and conditional up on the work being completed in accordance with the Town

of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 5; Opposed 0; **Carried**

Councillor Jenkins was called back into the meeting.

5.1 Correspondence, requiring Council's decision
None listed.

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

a) Decision of Eastern Regional Appeal Board

The Eastern Regional Appeal Board confirmed the Town's decision to issue the order to stop work and remove structures at 177 Water Street.

Forwarded to Development Committee.

Councillor Kennedy inquired on this item.

CAO advised this was an appeal of Council's order issued to cease

construction and remove structures at 177 Water Street that were

constructed without a permit from Council. The appeal board ruled in favour of the Town and the appellant is advised to make application to council for the construction. No application has been received to date.

b) Trinity Conception Family Resource Centre

RE: Invitation to attend the Annual General Meeting, Hotel Harbour Grace, Tuesday, May 28, 2019.

Copied to Council.

c) Newfoundland and Labrador Credit Union Charitable Foundation

RE: 16th Annual Walk A Thon, June 2 in aid of Special Olympics NL.

Forwarded to Finance and Administration Committee

d) NL Public Health Laboratory, Test results of water samples collected on April

8, 2019, at Bemister's Hill, TC Square Mall, Department of Justice, 143 Columbus Drive. Results marked satisfactory. Placed on file

e) Property owner, Powell Drive

RE: Request to change water and sewer

Forwarded to Public Works, Waste Management & Community Service committee

f) Children's Wish Foundation

RE: 24th Annual Run the Rock, request for support

Forwarded to Finance and Administration committee

g) Newfoundland Aquaculture Industry Canada

RE: Request for municipal support for the growing sustainable farming industry. Forwarded to Council.

h) Individual inquiry on land in Valley Road

Forwarded to Development committee

i) Joint Council of Conception Bay North

RE: Annual Joint Council Dinner, Wednesday, June 26 @ 7pm at the Royal Canadian Legion, Bay Roberts.

Copied to Council

j) Crohn's and Colitis Canada

- RE: Request for donation
Forwarded to Finance and Administration committee
- k) Property owner, Highroad North
Request to rezone property
Forwarded to Development committee
- l) Hospitality NL
Travel Trade Market Readiness Training
Forwarded to Recreation, Special Events, Culture & Tourism committee
- m) Kiwanis Club of Carbonear is hosting the Provincial Music Festival, May 10-11
RE: Invitation for Council to attend the reception on Friday, May 10.
Copied to Council
- n) Individual inquiry on Animal Control Regulations
Copied to Chief Administrative Officer
- o) Individual inquiry on obtaining family history information
Forwarded to the Heritage Society
- p) Tri-Con Special Olympics Club
RE: Special Olympics NL Provincial Swim Competition on May 25 & 26 at the Carbonear Pool. Invitation for the Mayor or representative to bring greeting at the opening ceremony on Saturday, May 25 at 9:30 am and an invitation for the Mayor and Councillors to participate in the Medal Ceremony at 1:30 pm on Sunday, May 26.
Copied to Council
- q) Advanced Education & Skills
RE : Approval of Job Creation Partnership to construct a Walking Trail.
Forwarded to Recreation, Special Events, Culture & Tourism committee

6. Committee Reports

- a) Finance and Administration
Deputy Mayor O'Grady advised that the Finance & Administration Committee met on May 1, 2019
Deputy Mayor O'Grady advised there is a motion being recommended regarding the provision of landscape architectural services for the Carbonear Downtown Redevelopment, Phase I project.
Mayor Butt declared a conflict of interest on this matter as he owns properties in that area on Water Street.
Mayor Butt then left the meeting.
Motion 19-132 R. Noel / V. Jenkins
Resolved that the Town of Carbonear accept and sign the agreement to provide landscape architectural services for the redevelopment of the Carbonear Downtown, Phase I as submitted by Tract Consulting Inc. in the amount of \$78,415.50 + HST.
Favour 5; Opposed 0; **Carried**
Mayor Butt was called back in to meeting.

Deputy Mayor O'Grady presented the following motion as recommended by the Committee:

Motion 19-133**C. O'Grady / D. Kennedy**

Resolved to adjust interest in the amount of \$2,012.90 on Account EASTR003.

Favour 6; Opposed 0; **Carried**

Deputy Mayor O'Grady noted that the 2018 audit is just about completed.

b) Development

Councillor Doyle advised that the Development Committee met on May 2. She noted the following from the meeting:

- Draft Sign Regulations are being worked on.
- Land Purchase Intersection of Water Street and Burnt Head Road East
The Committee are still working through that process.

- Development Applications

Motion 19-134 D. Doyle / V. Jenkins

Resolved to approve the following applications in accordance with applications submitted, the Town of Carbonear Municipal Plan and Development Regulations and other conditions as specified:

- 23 Janes Avenue – Patio and Shed conditional upon no objections being received from the variance notice sent to property owners in the vicinity of the development;
- 34 Highroad South – Garage conditional upon no objections being received from the variance notice sent to property owners in the vicinity of the development.

Favour 6; Opposed 0; **Carried**

- Correspondence

Government of NL - Provincial Review Release – Municipal Plan Amendment 25, Development Regulations Amendment 36.

Motion 19-135 D. Doyle / R. Noel

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear adopts Municipal Plan Amendment No. 25, 2019.

Favour 6; Opposed 0; **Carried**

Motion 19-136 D. Doyle / V. Jenkins

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear adopts Development Regulations Amendment No. 36, 2019.

Favour 6; Opposed 0; **Carried**

c) Recreation, Special Events, Culture & Tourism

Councillor Noel advised the Recreation Committee met on May 7th and noted the following from the meeting:

Pool deck repair – waiting on response for Recreation Capital Works funding application.

Recreation and sport disability funding program

The Director is working on an application to be submitted for June.

Business Builder Award

Committee is continuing to work on recommendations for this additional award and our civic awards events.

Listing of items available for donations

The Director of Recreation will prepare a list of various items and pricing that are available for donations to the Town.

Playground – Quinn’s playground on Remembrance Loop

Motion 19-137 **R. Noel / D. Kennedy**

Resolved to purchase a 2 bay swing set which includes an inclusive swing at a cost of \$4,885 plus HST.

Favour 6; Opposed 0; **Carried**

Track edging

Director of Recreation is still investigating the best options for equipment/machinery that is best suited for this work.

Canada Day Family Fireworks

Director of Recreation will confirm the preferred location with the Fire Chief.

Virtual Walking Tour free app

EDTO continues her research on this matter.

Expression of Interest for the locomotive

This has been advertised with a deadline date of May 15 for submissions.

Walking Trail

The Town has received funding under the JCP program for the Walking Trail with an anticipated start date of early June. Knox’s Hole trail will see the development of a nature /hiking trail with rest areas along the path. London Pond Trail will involve removal of brush and rocks so access to the pond will be restored as it once was.

Heritage Building repair

Motion 19-138 **R. Noel / D. Kennedy**

Resolved to contract Classic Carpentry to complete exterior repairs of the Town Heritage Buildings at a cost of \$46,414.75 plus HST.

Favour 6; Opposed 0; **Carried**

Pool Schedule

Changes are being made for the pool schedule for the summer months, these changes are not quite finalized.

d) Works Recommendations

Council previously met to discuss and review documents for the revised design and tender of the Columbus Drive Infrastructure Improvements project. It was noted that the revised drawings do not include the Columbus Drive/ Powell Drive/ Fox Farm Road intersection improvements.

Councillor Jenkins presented the following recommendations in this regard:

Motion 19-139 **V. Jenkins / C. O’Grady**

Resolved to rescind Motion 19-070 from the March 12, 2019 Regular Council Meeting.

Favour 6; Opposed 0; **Carried**

Motion 19-140

V. Jenkins / R. Noel

Resolved to proceed to tender for the project for road work relating to the Columbus Drive Infrastructure Improvements project as per the revised drawings received May 10, 2019 and reviewed by Council for upgrades recommended from the traffic study to accommodate the new retail development on Columbus Drive.

Favour 6; Opposed 0; **Carried**

Motion 19-141

V. Jenkins / C. O'Grady

Resolved to appoint Harbourside Transportation Consultants as consultant on the Columbus Drive Infrastructure Improvements project.

Favour 6; Opposed 0; **Carried**

7. Reports of Chief Administrative Officer and Department Heads

a) Director of Recreation

Reviewed as submitted.

Pool & Rec Maintenance

- 1.) Seasonal Staff have started. All playground equipment has been installed and checked. Playgrounds are now officially open for the season. Sports field equipment has also been put in place.
- 2.) Some field maintenance and turf maintenance has started this week and will continue into next week.
- 3.) Had a representative from a fencing company on-site today to look at fixing fence at tennis court/skate park. Visited Soper. Ave playground for some gate repair there as well as gates around sports complex.

Financial & Program Analysis

| | <u>2019</u> | <u>2018</u> |
|-----------------------------|--------------|--------------|
| 1.) Pool Revenue (less HST) | \$117,736.87 | \$119,425.08 |
| 2.) Lesson Registration | 879 | 893 |
| 3.) Pool Visitation | 13,862 | 14,022 |

Programs & Grants

Grants

- 1.) Canada Summer Jobs applications were submitted. Carbonear Recreation Commission Approved for 15 positions for Recreation Program and Softball program approved for 2 positions. Town of Carbonear approved for 19 positions.
- 2.) Community Healthy Living Fund (Small Infrastructure) - \$10,000 for starting blocks at pool. (Not Approved – Now included as part of Recreation Capital Works Project application)
- 3.) Community Healthy Living Fund (Programs) - \$5,000 for programming related to community garden. Approved
- 4.) Provincial Student grants applications have just been released (Submitted)

- 5.) NL Power Envirofest - Applied for \$5,000 to aid in final stage of Boardwalk green space. These funds will assist in offsetting some of the cost of sodding/hydroseeding and tree planting. Approved
- 6.) TradesNL - Community Funding Partnership. Applied for \$20,000 toward a timing system and display clock at pool for invitational and provincial swim meets held at our facility.

Programs

Swim to Survive started today for the 3 local Primary Schools (Carbonear Academy, Persalvic & St. Francis). The Kiwanis Club of Carbonear has continued to partner with Carbonear Recreation Commission to support this program allowing us to maintain offering it to these schools.

Unfortunately there has been numerous changes to the Jump Start Program and funding of this program is more difficult to access.

Councillor Noel asked if schools themselves could apply directly to Jump Start for funding for this project. Director advised he did not know if that was possible. He will keep in contact with the Chairperson of Jump Start in this area to determine if we can obtain future funding.

Scheduled Events

- 1.) June 15-16 Men's Provincial Ultimate Frisbee team is hosting a training camp at our Soccer Pitch. Will also be providing a clinic to help us introduce the program in the area.
- 2.) Thomas Amusements have been booked for Paddy's Garden July 4th -7th.
- 3.) Benjamin's Circus is in process of being booked for July 19th to 21st.
- 4.) Concert in the Garden, aka Da Shed Party is being planned by the Special Events Committee for July 13th.
- 5.) Minor Softball Tournaments
 - U10 Timbits Softball July 5-7
 - U16 Boys Fastpitch Provincials August 9-11
 - U16 Boys Fastpitch East Coast Softball Championship August 15-18

8. Finance

- a) Operating Invoices over \$2,000.00 in the amount of..... \$80,714.86

Motion 19-142 C. O'Grady / V. Jenkins

Resolved that the Town of Carbonear approve for payment the list of operating invoices as submitted totaling \$80,714.86.

Favour 6; Opposed 0; **Carried**

- b) Capital Invoices:

Water Street Revitalization (Part C)

Harris & Associates, Invoice #6482.....\$20,084.75

Mayor Butt declared a conflict of interest on this matter as he owns property on Water Street in the Water Street Revitalization area.

Mayor Butt then left the meeting and Deputy Mayor O'Grady assumed the chair.

Motion 19-143

R. Noel / D. Doyle

Resolved that the Town of Carbonear approve for payment the following capital invoice for the Water Street Revitalization Project as presented:

- Harris & Associates, Invoice #6482 in the amount of \$20,084.75

Favour 5; Opposed 0; **Carried**

Mayor Butt was called back in to meeting and assumed the chair.

9. Regulations

a) Solid Waste Regulations

As per Notice of Motion from April 23 Regular Meeting

Moved by Deputy Mayor O'Grady and seconded by Councillor Noel

Motion 19-144

C. O'Grady / R. Noel

Resolved to amend the Town of Carbonear Solid Waste Disposal Regulations.

Favour 6; Opposed 0; **Carried**

10. New Business

No new business listed.

It was noted that Councillor Doyle is in Toronto accompanying the Carbonear Collegiate Unified Sports team competing in the 2019 Special Olympic Youth Games. Council wished them well in the competition. Councillor Doyle noted that the opening ceremonies will be on TSN tonight at 9pm.

Mayor Butt noted that new business, Dark Star Coffee Roasters opened today on Water Street.

Mayor Butt congratulated The Compass on being named Newspapers Atlantic awards finalist for Outstanding News Story.

Mayor Butt noted that the Provincial Kiwanis Music Festival was held at the Princess Sheila NaGeira Theatre this past weekend. There are some participants from this weekend's competition moving on to the National Competition.

11. Notices of Motion

No notices of motions were filed.

12. Adjournment

Motion 19-145

R. Noel / C. O'Grady

Resolved that the meeting adjourn at 6:10 p.m. and the next regular council meeting will be on May 28th, 2019 at 5:30 p.m.

Favour 6; Opposed 0; **Carried**

Mayor Frank Butt

Cathy Somers, Town Clerk