

Town of Carbonear
Regular Council Meeting, December 23rd, 2019
Minutes of a regular meeting of the Council of the Town of Carbonear
Held in Council Chambers, December 23rd, 2019 at 4:30pm

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

Also Present: CAO	Cynthia Davis
Town Clerk	Cathy Somers

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1. Calling of Meeting to Order
Mayor Butt called the meeting to order at 4:31pm and welcomed everyone to the meeting.
 2. Adoption of the Agenda for December 23, 2019 Regular Meeting
Motion 19-357 R. Noel / C. O'Grady
Resolved to adopt the agenda as presented for the December 23, 2019 Regular Meeting of Council.
Favour 7; Opposed 0; **Carried**
 - 2.1 Adoption of the minutes
 - a) Regular Meeting – December 10, 2019
Motion 19-358 V. Jenkins / A. Hulan
Resolved to adopt the minutes of the December 10, 2019 Regular Meeting of Council.
Favour 7; Opposed 0; **Carried**
 3. Business Arising from Minutes
No business arising.
 4. Delegations
None listed.
 5. Correspondence, Permits & Development
 - a) Permit Listing # 8865-8869
Councillor Doyle requested Council to review the list of permits for any possible conflict of interest.
Motion 19-359 D. Doyle / A. Hulan
Resolved to approve permits # 8865-8869 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 7; Opposed 0; **Carried**

5.1 Correspondence, requiring Council's decision

5.2 Correspondence received and action taken

Council reviewed the following listing of correspondence and approved the action taken on each item:

- a) Department of Municipal Affairs & Environment
 - Water Resources Management Division: requirement for work in or within fifteen metres of a waterbody. "Reminder to residents that any work in or within 15 metres of a body of water requires a permit to be issued by the Department and that no work may begin until the permit is issued."
Forwarded to Development committee.
Councillor Kennedy suggested we send this correspondence to some organizations for their information. CAO advised it has already been placed on our website for public information.
 - Commercial Vehicle Inspection Requirements and Insurance
Copied to the CAO & Fire Department.
 - Land Use Planning Division regarding Municipal Plan Amendment 26, 2019 and Development Regulations 38, 2019 have been released from provincial review.
Placed on file.
 - Multi Year Capital Works, Water, Sewer, Storm & Street Upgrading for Water Street, 17-MYCW-18-00033, change order #02 approval in the amount of \$41,237.53. Placed on file.
 - Small Communities Fund, Water, Sewer, Storm & Street Upgrading, 17-SCF-18-00077 for Water Street, change order #02 approval in the amount of \$60,330.02. Placed on file.
- b) Municipalities NL
Info Notes:
December 18 – Happy Holidays
December 17 – Municipal Sector News
Copied to Council.
- c) Eastern Regional Service Board
 - 2020 Collection Schedule
Copied to Council and staff. Information to be placed on Town website and social media.
Mayor Butt noted we now have 3 days of garbage collection for 2020. CAO advised that we have done a new schedule for each of the 3 separate areas in Carbonear. We will send out the Town's schedule by mail and will also post it on Facebook.
 - Fire and emergency services for incorporated areas.
Forwarded to Public Works, Waste Management & Community Services committee.
- d) Canadian Wireless Telecommunications Association
RE: Recycle My Cell NL
Forwarded to Public Works, Waste Management & Community Services committee.
- e) Department of Fisheries & Land Resources
RE: Commercial Operator Permit Holders, application attached.

- Placed on file.
- f) Email from property owner, Sutton's Lane
RE: Snow Clearing
Forwarded to Director of Operations and Public Works and CAO.
 - g) NL Public Health Laboratory, Test results of water samples collected on November 5, 2019 at Bemister's Hill, TC Square Mall, Department of Justice, 143 Columbus Drive and December 2 at Department of Justice, Town of Carbonear Office, TC Square Mall and 240 Water Street. Results marked satisfactory. Placed on file.

6. Committee Reports

a) Development

Councillor Doyle advised the Committee met on December 12th and reviewed the following from the Committee meeting:

➤ Sign Regulations

Motion 19-360

D. Doyle / V. Jenkins

Resolved to proceed to advertise the proposed Development Regulations Amendment No. 37, 2019, Revised Signage Regulations.

Favour 7; Opposed 0; **Carried**

Councillor Doyle noted that the Town's sign is permitted under the proposed Revised Signage Regulations as municipal signage.

- Development Application to operate a waste disposal business at 203-209 Water Street. This is a discretionary use in a General Industrial zone and Service NL approval is required.

Motion 19-361

D. Doyle / V. Jenkins

Resolved to approve an application to operate a Waste Disposal business at 203-209 Water Street conditional upon Service NL approval and no objections being received from the Discretionary Use Advertisement and;

Be it further resolved that if there are any objections, it will come back to the committee and Council for further review and consideration.

Favour 7; Opposed 0; **Carried**

- Municipal Plan Amendment No. 26, 2019 and Development Regulations Amendment No. 38, 2019 – This amendment will change the land use designation and zoning on properties located at Highroad North to permit residential development which includes two properties, Civic #42 and a portion of Civic No. 51-59 Highroad North

Deputy Mayor O'Grady declared a conflict of interest on this matter as his brother owns land in the area that is being re-zoned. Deputy Mayor O'Grady then left the council meeting.

The public consultation deadline was December 12th. The Town did not receive any representations or objections on the amendment. The committee recommends moving forward to the next step in the process which is for Council to adopt the Municipal Plan and Development Regulations.

Motion 19-362

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.26, 2019.

Favour 6; Opposed 0; **Carried**

Motion 19-363**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. 38, 2019.

Favour 6; Opposed 0; **Carried**

Deputy Mayor O'Grady was called back in to the meeting.

- Town property on Goff Avenue

Motion 19-364**D. Doyle / A. Hulan**

Resolved to tender for sale the town properties of 41-43 Goff Avenue and 45-47 Goff Avenue.

Favour 7; Opposed 0; **Carried**

- Crown Land Application – Clarke's Road
Deferred pending further information.
- Crown Land Application, CHVO Drive, building improvements for new roof. Deferred pending further information.
- Correspondence from Independent Business, RE: Downtown Revitalization
CAO will draft a response for review with Council. Deferred for completion of the draft and further review with committee and Council.

- Application for signage for 111 Columbus Drive

Motion 19-365**D. Doyle / V. Jenkins**

Resolved to approve a temporary mobile sign to advertise for KFC as per the application submitted and subject to the conditions as noted in our proposed new signage regulations.

Favour 7; Opposed 0; **Carried**

b) **Public Works, Waste Management & Community Services**

Councillor Jenkins advised the Committee met on December 11th and reviewed the following from the Committee meeting:

- Traffic Data Reports
The traffic data reports were sent to council for their information.
- Asset Management module & equipment
The committee recommends purchasing of the required equipment to record the assets which is required by Canadian Municipalities to continue to obtain Gas Tax Funding plus it will give municipalities better data to make decisions on upgrades and improvements.

Motion 19-366**V. Jenkins / R. Noel**

Resolved to approve the purchase of the Trimble Handheld GPS device at a cost of \$9,223.

Favour 7; Opposed 0; **Carried**

Motion 19-367**V. Jenkins / C O'Grady**

Resolved to approve the purchase of the GIS add on software to be used with the present Tangible Capital Asset Software and the Service Request/Work Order Software in the amount of \$6,500.

Favour 7; Opposed 0; **Carried**

- Highroad North, water and sewer connection
The committee recommends the new connection provided the property owner is able to obtain an easement and willing to assume the cost to obtain a legal easement to install a service line from her dwelling to the main line on Coral Heights, assume the cost of the

service line on her property and pay the appropriate connection fee to the Town to connect to this line. Further discussion will be required with the property owner to determine if she is interested in this option.

➤ Waste Management & Community Services

Reviewed email from Eastern Waste regarding waste collection

The proposed scheduled for this year for the Town will be a three-day collection as we discussed a few moments ago.

➤ Correspondence

a) Resident, Hoyles Road, Re: Request to reinstate stone in driveway after leak repair. Stone has been reinstated.

b) Resident, Water Street East, Re: Concerns with property at the corner of Water Street and Burnt Head Road

CAO will respond in writing to the resident to advise the Town is taking action to have the property repaired or demolished.

c) Request to restore the name of PF Finn Street to Gould's Lane
The committee does not recommend changing the name of the street.

d) Resident, Mahaney's Lane, Re: Incident that occurred on July 19. The committee does not recommend reimbursement for electrical appliances as requested. The claimant is to be informed of this recommendation.

Mayor Butt asked if she is indicating the Town is responsible for this. CAO advised that is implied in her letter.

The Town repaired a leak, however, it is the property owner's responsibility to ensure they have proper ground, the ground failed on the pole as well.

e) Resident, Water Street, Request to clean out the catch basin and pipe. This work has been completed.

f) Resident, London Road, Re: Complaint of neighbouring property

The committee recommends informing the owner of the concern once ownership is determined. The Town does not complete rodent control on private properties.

g) Property owner, Water Street, Re: Claim of property damage during Water Street Project

The committee reviewed the correspondence and photos. The review process identified the damage to the property pre-existed and was not a result of the work being done as part of the Water Street project. *The committee does not recommend any further action.*

h) Icesoft Technology, Voyent Alert

Regarding municipal alerting service

The committee does not recommend the purchase of the software. The information to be placed on file for future reference.

7. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

CAO reviewed Financial Report Summary for November, 2019

8. Finance

a) Operating Invoices over \$2,000.00 in the amount of..... \$56,883.60

It was noted that one invoice was listed twice on the listing.

Motion 19-368

C. O'Grady / D. Doyle

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 as submitted, with a revised total of \$54,734.94.

Favour 7; Opposed 0; **Carried**

b) Capital Invoices:

Conception Bay Regional Community Centre - Existing Site Plan

PN-19-122

Harris & Associates, Engineering Invoice # 6596..... \$1,437.50

Total Capital Invoices..... \$1,437.50

Motion 19-369

D. Doyle / V. Jenkins

Resolved that the Town of Carbonear approve for payment the following capital invoices as submitted:

Conception Bay Regional Community Centre - Existing Site Plan

PN-19-122

Harris & Associates, Engineering Invoice # 6596.....\$1,437.50

Favour 7; Opposed 0; **Carried**

9. Regulations

No regulations listed.

10. New Business

No new business.

Mayor Butt noted he attended the following:

Charwood Manor annual Christmas party, a room at the facility was named in memory of member Charlie Piercey.

Mayor Butt noted there was a house fire today and the family was displaced. The Knights of Columbus are assisting the family. Council noted that the Red Cross and Salvation Army have also assisted and the family has been provided with accommodations.

Councillor Noel commended all the schools and organizations who do such great work in the community especially at this time of year.

11. Notices of Motion

No notices of motions were filed.

12. Adjournment


Motion 19-370

C. O'Grady / V. Jenkins

Resolved that the meeting adjourn at 5:01 p.m. Next Council meeting is scheduled for Tuesday, January 14th at 5:30pm.

Favour 7; Opposed 0; **Carried**

Mayor Frank Butt



Cathy Somers, Town Clerk