

**Town of Carbonear
Regular Council Meeting, June 2, 2020**

Minutes of a regular meeting of the Council of the Town of Carbonear
Electronic meeting (Zoom webinar), June 2nd, 2020 at 5:30pm

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

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1. Calling of Meeting to Order
Mayor Butt called the meeting to order at 5:33 pm and welcomed everyone to the meeting. Several participants are registered for today's virtual meeting of Council.

Mayor Butt offered condolences to the families of the 4 fishermen who lost their lives when their fishing boat the "Sarah Anne" sank last week. Mayor Butt noted that two of them were volunteer fire fighters in their community as well.

2. Adoption of the Agenda for June 2 Regular Meeting
Motion 20-097 **R. Noel / V. Jenkins**
Resolved to adopt the agenda as presented for the June 2, 2020 Regular Meeting of Council.
Favour 7; Opposed 0; **Carried**

3. Adoption of the minutes
a) Regular Meeting – May 12, 2020
Motion 20-098 **A. Dowden / C. O'Grady**
Resolved to adopt the minutes of the May 12, 2020 Regular Meeting of Council.
Favour 7; Opposed 0; **Carried**

4. Business Arising From Minutes
No business arising from the minutes

5. Delegations
No delegations listed.

6. Correspondence, Permits & Development

a) Permit Listing # 8927-8997

Councillor Doyle requested Council to review the list of permits for any possible conflict of interest.

Deputy Mayor O'Grady declared a conflict of interest on Permit #8950 as it was for his son.

Motion 20-099

D. Doyle / V. Jenkins

Resolved to approve permits # 8927 – 8997, excluding # 8950 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**

Deputy Mayor O'Grady then exited the meeting.

Motion 20-100

D. Doyle / A. Dowden

Resolved to approve permit # 8950 as per application 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**

Deputy Mayor O'Grady was not present to vote on the matter.

Deputy Mayor O'Grady then returned to the meeting.

b) Development applications

- 21 Blueberry Crescent – Garage
- 4 Connolly's Hill – Shed
- 180 Water Street – Awning
- 191 Water Street – Exterior Renovations

Motion 20-101

D. Doyle / V. Jenkins

Resolved to approve the following development applications conditional upon the development being completed in accordance with the Carbonear Municipal Plan and Development Regulations and other regulations and policies and in accordance with other conditions as specified:

- *21 Blueberry Crescent - to construct a garage, conditional upon no objections to the discretionary use advertisement to vary the maximum floor area from 81m² to 85.86m² and if there are any objections received, the application will require further review of Committee and Council*
- *191 Water Street - to complete renovations to the exterior of the building per Heritage Zone conditions*
- *180 Water Street to install a canopy to the exterior of the building per Heritage Zone conditions and further conditional upon if future work is required on the sidewalk where this will interfere, the applicant is responsible to remove at their expense.*

Favour 7; Opposed 0; **Carried**

Mayor Butt declared a conflict and left the meeting as 4 Connolly's Hill is his property and Deputy Mayor O'Grady assumed the position of chair.

Motion 20-102

D. Doyle / A. Dowden

Resolved to approve the following development application conditional upon the development being completed in accordance with the Carbonear Municipal Plan and Development Regulations and other regulations and policies and in accordance with other conditions as specified:

- 4 Connolly's Hill - to construct a shed, conditional upon no objections to the discretionary use advertisement to vary the maximum floor area from 81m² to 94.25m² and if there are any objections received, the application will require further review of Committee and Council

Favour 6; Opposed 0; **Carried**

Mayor Butt was not present to vote on the matter.

Mayor Butt was called back in to the meeting.

6.1 Correspondence, requiring Council's decision

- a) Department of Municipal Affairs & Environment, Infrastructure Special Assistance Grant, Project #17-SAG-21-001 in the amount of \$30,000 on a 70/30 provincial / municipal cost-shared basis to assist with the purchase of a timing system for the swimming pool for the 2020 Summer Games.

Motion required to award tender to purchase Timing System.

Motion 20-103

C. O'Grady / D. Doyle

Resolved to purchase timing system for the Carbonear Swimming Pool from Team Aquatic Supplies for the lowest tendered price of \$38,106.41 HST included.

Favour 7; Opposed 0; **Carried**

- b) Department of Tourism, Culture, Industry and Innovation
Re. Letter of Financing (Amended) – Regional Development Fund, Downtown Redevelopment Phase 1
Mayor Butt declared a conflict of interest on Phase 1 of the Downtown Development Project as he owns property in the area.
Mayor Butt then left the meeting and Deputy Mayor O'Grady assumed the position of chair.

Motion 20-104

D. Doyle / A. Dowden

Resolved that the Town of Carbonear accepts the amended Letter of Financing from the Department of Tourism, Culture, Industry and Innovation in the amount of two hundred and eighty-two thousand, two hundred and twenty-nine dollars (\$282,229.00) and agrees to the terms and conditions contained in the agreement.

Favour 6; Opposed 0; **Carried**

Mayor Butt was not present to vote on the matter.

Mayor Butt was called back into the meeting.

6.2 Correspondence received and action taken

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

- a) Municipalities NL
 - Info Note – May 19 – COVID-19 Conference call
 - Info Note – May 21 - MNL Women's Caucus Survey
 - Info Note – May 25 – Presidents Report, FCM Asset Management funding
 - Info Note – May 28 - Annual conference to be held online
 - Copied to Council, Town Clerk and the Chief Administrative Officer
- b) Department of Municipal Affairs & Environment
 - Approval to award contract - Community Culture & Recreation / Swimming Pool Liner Replacement – 17-CCR-20-00011 (Purchase of starting platforms)
Motion to award the contract to purchase starting platforms was obtained at the May 12th Regular Council meeting.
 - Approval to award contract to CAM-AM Platforms & Construction Ltd. Community Culture & Recreation / Swimming Pool Liner Replacement – 17-CCR-20-00011
Motion to award this contract subject to receipt of "Approval to Award" was obtained at the May 12th Regular Council meeting.
 - Approval to call request for proposal – ICIP
Highroad South Water and Sewer Project # 17-GI-20-00039
Copied to Public Works, Waste Management & Community Services committee
 - Real Property Tax Exemption for Productive Farm Land, Woodland Associated Buildings. Copied to Town Clerk and Chief Administrative Officer
 - Health & Community Services – First Responders and the Novel Coronavirus.
Copied to the Chief Administrative Officer and the Fire Department
 - Council responsibility for Fire Protection Services
Forwarded to the Finance and Administration committee and the Fire Department
- c) Conservation Corps NL
 - RE: CCNL Internship 2020 call for proposals – deadline June 12, 2020
 - Forwarded to Finance and Administration committee
- d) Property owner, Water Street
 - RE: Question on proposed building use
 - Forwarded to Development committee
- e) Property owner, Sutton's Hill
 - RE: Road conditions
 - Copied to Council, Chief Administrative Officer and the Director of Operations & Public Works
- f) NL Public Health Laboratory, Test results of water samples collected on April 29, 2020 at North Atlantic, Shell, Esso & Red Circle. Results marked satisfactory.

- Placed on file
 - g) NL Public Health Laboratory, Test results of water samples collected on March 18, 2020 at Shell, TC Square Mall, Fong's Restaurant & Esso. Results marked satisfactory.
 - h) Heritage NL
RE: Heritage NL is looking to identify people in the Baccalieu Trail region who are "hidden gems" of Newfoundland traditions: storytellers, berry-pickers, hooked mats, carvers, knitters, etc.
Copied to Council and Staff.
 - i) Eastern Health
RE: Information from Government NL as it relates to Tourism
Forwarded to Recreation, Special Events, Culture & Tourism committee
RE: 2020 Sessions for Grief and Bereavement
Placed on Social Media
 - j) Professional Municipal Administrator
RE: PMA Virtual AGM, June 19, 2020
Copied to Chief Administrative Officer and Town Clerk
RE: Award of Excellence
Forwarded to Council
COVID-19 Survey Results
Copied to Chief Administrative Officer and Town Clerk
 - k) Property owner, Water Street
RE: Complaint of neighbouring property
Forwarded to Public Works, Waste Management & Community Services committee
 - l) Property owner, Water Street
RE: Complaint of heavy equipment parked on property
Forwarded to Public Works, Waste Management & Community Services committee
 - m) Individual complaint of illegal dumping
Forwarded to Public Works, Waste Management & Community Services committee
 - n) Individual inquiry on garbage collection
Forwarded to Public Works, Waste Management & Community Services committee
 - o) Community Sector Council
RE: CSC NL Online Training Opportunities
Copied to Council
9. Committee Reports
- a) Development
Councillor Doyle advised the Committee met on May 14th and noted the following from the meeting:
 - There are still some businesses operating without a permit. They are working on getting

the right documentation for the town and from Service NL to operate. Correspondence has been sent to all businesses and they are working with the landlords, the Town and Service NL on resolving the issue.

- 123 Columbus Drive - The CAO reported the sale is moving forward. The Town Lawyer sent an email on ownership and all documents have been forwarded to the province for processing.
- Business owner, sign placement - The Town received an email from a business owner requesting an update on a permit to install a sign on the property. *The committee recommends the Director visit the property to have further discussions with the property owner to determine a placement on the property that meets the Town of Carbonear Signage Regulations.*
- Several Development Applications were reviewed, the following motion is being recommended for those applications:

Motion 20-105

D. Doyle / C. O'Grady

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:

- *64 Water Street to renovate existing greenhouse for the purpose of a chicken coop conditional upon meeting the requirements of the Town of Carbonear Animal Control Regulations;*
- *1 White Carriage Lane - to operate a business (horse boarding, dog kennelling and mixed farming) conditional upon no objections being received from the discretionary use advertisement in the local paper further conditional upon receipt of required approvals from other government departments and agencies;*
- *41A Highroad South - to construct a new patio per section 10 of the Development Regulations, Discretionary Powers of Authority;*
- *7 Crowdy Street to construct a storage shed, conditional upon no objections to the discretionary use advertisement to vary the maximum floor area to 113.42m² from 81m²; and if there are any objections received, the application will require further review of Committee and Council.*
- *127 Water Street- to replace the fence conditional upon the fence being reduced in height to 42" and being in compliance with the Town of Carbonear Fence Regulations and further conditional upon the Town not being responsible for damages incurred in the street reservation due to snow clearing efforts or street maintenance requirements;*
- *26 Blueberry Crescent - to construct a fence in accordance with the Town of Carbonear Fence Regulations and to remove garage door and install a man door.*

Favour 7; Opposed 0; Carried

- Correspondence received RE: Planning services - The information will be placed on file for future reference.
- Committee reviewed an inquiry regarding land in Valley Road - The Town previously made application to Crown Lands to obtain the parcel of land on Valley Road. In response to the application, the CAO received a response from the Eastern Lands Office which was reviewed with the committee and was later discussed with Council. Committee will do some further investigation on the matter.
- MEO Report – The MEO reported to the committee on concerns with several properties throughout town. There are some businesses operating without a permits and property owners doing repairs or development without a permit.

Motion 20-106

D. Doyle / V. Jenkins

Resolved to send an order to the operator of a Taxi Service from Cotter's Street to cease the operation of a home-based business (Taxi Service) operating without a permit from Council, contrary to the Town of Carbonear Municipal Plan and Development Regulations.

Favour 7; Opposed 0; **Carried**

Motion 20-107

D. Doyle / R. Noel

Resolved to send a removal order to the property owner of 2 Gould's Lane to remove the fence that has been constructed in the road reservation and railing that has been installed on the new deck which is not in accordance with the Town of Carbonear Development Regulations and the conditions of the permit issued.

Favour 7; Opposed 0; **Carried**

- Burnt Head Road Intersection – Acquisition of property - the file is at the lawyer's office, should be concluded in the near future.

b) Finance and Administration

Deputy Mayor O'Grady advised the Committee met on May 15th and noted the following from the meeting:

Fire Department Incident reports – clarification on incident reports, many of the calls were false alarms. Most of the false alarms were at Carbonear Hospital since they were having issues with one of their sensors. This issue has been resolved. There did not appear to be any significant increase in lift assists.

Correspondence Reviewed

- Department of Municipal Affairs and Environment; RE: Temporary Variation of Statutory Deadlines Act - The date for council to prepare and adopt financial statements is now September 1, 2020 and submitted to the Department by September 30. The Town Clerk reported the auditors anticipate completing the auditor by the end of June.
- Children's Wish, Run the Rock; RE: Request for donation - The committee reviewed the correspondence. The Town makes an annual donation to the Children's Wish during the Children's Wish Tree celebrations. *The committee does not recommend.*

- Fire Department; RE: Lift Assists - The Fire Department does not want to provide this service as part of their duties as it is currently not covered by Workplace Health and Safety. *The committee recommends setting up a virtual meeting with the executive of the Fire Department to discuss.*

Circular 2020 Training Program - The guidelines for Fire Department operational plans for COVID-19 – Level 4 has been forwarded to the Fire Department.

Alert System - Deferred to see how the system is working for some local municipalities that have obtained the system .

Phase 2 Downtown - The Town was not approved for Phase 2 of the Downtown Revitalization Project however the Town could reapply for next year.

It was noted that there is a possibility with additional funding that it could still be considered. Mayor Butt advised he was speaking with MP Ken MacDonald and he is investigating the application further.

Permits - The information on how to make application for a permit has been posted on the website and it is identified that applicants will be contacted with the amount of the fee, if any as minor repairs are being exempted from the minimum application fee. There were a substantial number of permits approved today.

Mayor Butt noticed that he witnessed our outside workers today working with masks on and maintaining sufficient distance.

c) Recreation, Special Events, Culture & Tourism

Councillor Noel advised the Committee met on May 15th and noted the following from the meeting:

Mulch around the plants & shrubs on the new green space by the boardwalk – staff investigating options for purchasing mulch for the area.

Princess Sheila Building – future building maintenance requirements are estimated at approximately \$8,000

The committee had some discussion on ways to utilize the building for recreational purposes. This will be reviewed further with the Director of Recreation, EDTO and Councillor Noel.

Train – Still working on different sources of funding. Committee will report on this later.

Trail access - A group of citizens are doing work on an ATV trailway within town.

Special Events - The Special Events Committee is hosting a May 24 Virtual Photo Contest. Gift certificates from local businesses will be awarded as prizes.

Culture & Tourism - The EDTO has been busy with virtual meetings. The province is focusing on Staycations and trails. It is not likely that museums will be open this year. The EDTO will change the Town's brochure to promote the trails and local businesses.

Recreation Programs - The Director of Recreation is on a planning committee of Recreation Directors within the province and they are working on plans for the summer months.

Davis Earle Trail - Correspondence was received from a local resident noting his concerns on the current access to the Davis Earle Trail. He felt the access is not easy to navigate especially for seniors. This matter is being investigated by staff to provide an option to make it more accessible.

Municipalities NL, RCMP Musical Ride - The RCMP Musical Ride is planning a 10-14-day tour for August 2021. The Town co-hosted the Musical Ride in 2015 with the Town of Harbour Grace.

The committee recommends forwarding the information to the EDTO to review offering this event in 2021.

Summer Programming Ideas

The Recreation Director is working on some ideas for summer programming where students can be extended to February 2021 such as popup camps, late fall tutoring programs, etc.

Community Garden - Community Gardens are allowed to open this summer. The Recreation Director has been working on rules and directions to post, indicating the restrictions and allowances in light of the COVID-19 physical distancing rules. He has been working with the group in this process and waiting on some feedback and suggestions before finalizing.

Football uprights - Cost for football uprights and ground sockets is less than budgeted. The committee recommends to proceed to order.

Motion 20-108

R. Noel / C. O'Grady

Resolved to purchase from Skyline Athletics (1) set of football uprights at a cost of \$7,315.72 and (2) ground sockets, (\$400 each) at a cost of \$800 plus HST.

Favour 7; Opposed 0; **Carried**

The Director reported the Recreation Commission will be donating \$5,000 for the purchase of sport equipment for programming.

Councillor Noel commended the Recreation Commission for their work.

- d) Public Works, Waste Management & Community Services
Councillor Jenkins advised the Committee met on May 13th and noted the following from the meeting:

Maintenance contracts –The Director of Operations & Public Works is reviewing and will bring back recommendations to the committee.

Snow Clearing - Some discussion at the last committee meeting regarding the direction of snow clearing on some streets. The Director will review with operators next season.

MEO Report / Update

Property on White's Road - The dwelling is in a state of disrepair.

The committee recommends sending correspondence to the property owner inquiring on their intention for the dwelling.

It was noted that there have been increased problems regarding property clean ups due to the Waste Recovery Facility being closed.

There are a number of properties with vehicle, garbage and debris, are being

sent letters of intent.

Water Street property - Dumpsters with garbage and other debris are located on the property and have been there for extended periods of time. The applicant was not approved to operate a business from the property. He has appealed Council's decision. We are not waiting on an appeal hearing date.

Public Works

Seasonal Staff

The Director of Operations & Public Works is reviewing options to have seasonal staff return to work adhering to the public health guidelines. This is being discussed with the Pandemic Planning Committee.

Concern with gravel road – This concern has been addressed. The road has now been graded.

Community Clean up.

The community clean up is typically held the first weekend in June. Plans to hold the clean-up are postponed pending a decision from Eastern Waste on opening of the Waste Recovery Facility.

Property owner, concerns with wood placed on her property – The wood was placed there by neighbouring property owner. This is a civil issue between property owners.

Paving 2020 - The Director of Operations & Public Works reviewed suggestions for paving for 2020. The Director reported that Powell Drive would be the priority. The Department of Transportation will be completing improvements to the Powell Drive/Columbus Drive Intersection and this would be a good time for the Town to continue the improvements from there to the east as far as the funds that the town allocates.

Deputy Mayor O'Grady advised that a lot of the properties listed in the MEO Report to the committee have been there for some time. We have given. Letters, orders, taking them to court. And now repeating again. He noted this continues to be a constant process of checking on these properties.

Councillor Dowden asked that we send another request to EWSB to discuss concerns with garbage collection.

Mayor Butt asked the committee to follow up on grading and calcium progress.

Deputy Mayor O'Grady advised the committee will review for roads for upgrading.

10. Reports of Chief Administrative Officer and Department Heads

a) Director of Recreation

Director of Recreation reviewed his report with Council

Pool Project

Contractor has been contacted and they are in process of getting supplies and materials for pool deck and liner. Expecting about a 3 week delivery period, so hoping to begin by end of June.

Spoke to consultant today regarding change room. They have updated the floor plan to include the changes we discussed and are finishing up tile elevations for shower area, along with the Room finish schedule. Should be ready to go to tender next week.

Summer Program

Been in discussions with the Recreation Commission regarding the program. There has been a lot of questions, concerns and suggestions. They will be running a program, which has been outlined. Right now, it is more focused on engaging the youth through virtual programming, along with creating promotional initiatives for the recreation department. Depending how the public health regulations and guidelines unfold, there may be some room to do more, but will determine those programs based on ability to maintain and safe environment.

Community Recreation/Sport Guidelines

Have a zoom conference scheduled for tomorrow morning, with all recreation practitioners, to discuss the coming guidelines. From what I understand this will be for informational purposes to enlighten us on some of the discussions with public health and feedback from the suggestions our group has submitted.

Another meeting tomorrow at 10am, should know more after that meeting.

b) Director of Operations & Public Works

Director of Operations and Public Works reviewed the following from his report with Council:

Covid-19 Work Impact

The ongoing pandemic has had a significant impact on the outside work force. We are current working two shifts to reduce the number of people working at any one time. As the restrictions loosen we are looking at ways to bring on additional staff and eventually get back to our normal work shift. This week we have brought back two seasonal staff and have started crosswalk painting. We hope to add two more people mid week this week. Please note that all of our critical work is being completed without any concerns.

Water Street Project

- The Water Street project has now resumed. The contractor has provided the town with a Covid-19 work plan. They are continuing with the electrical base installation and wiring. The stone mason is back and is responsible for the installation of the final few bases. Stone work will resume after base installation. The canopy has been replaced on 218 Water Street.
- The new asphalt top coat is failing on this section of Water Street. The contractor has agreed to mill off the top lift and spread a new lift. This will be done at no cost to the town.

Columbus Drive Intersection:

We have purchased and have received delivery of the lighting heads and light poles for the new Columbus Drive intersection. The only item remaining

to be purchased is the controller. This item will be in the \$14,000 range + HST. This price is directly from Econolite, which is the same controller manufacturer as our other two traffic lights. Maintaining the same controller allows us to only stock repair parts on one device. I would require council approval to make this purchase.

Motion 20-109

D. Doyle / V. Jenkins

Resolved to approve the purchase the controller for the new traffic light to be installed on Columbus Drive for price not to exceed \$15,000 + HST.

Favour 7; Opposed 0; **Carried**

Willoughby Sub-Division

The contractor has completed the re-routing of the 12" water main (Hospital Line) in the Willoughby Sub-division. They are now in the processing of completing the last section of the sewer line. Once the underground work is finished they will proceed with the road work.

Water Leaks

We had a number of water leaks on service lines as well as two 12" water main leaks. The 12" line leak in the Valley Road affected the entire town. There have been several leaks on that section of water main in less than a year. This section of line will have to be considered for an upgrade in the near future. The section under the highway was installed, and we would connect to that.

Council commended the workers for their work in reinstating water to the town after the main line break. It is a difficult task with the challenges during Covid-19.

11. Finance

- a) Operating Invoices over \$2,000.00 in the amount of..... \$74,890.57

Motion 20-110

C. O'Grady / V. Jenkins

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 as submitted, totaling \$74,890.57

Favour 7; Opposed 0; **Carried**

12. Regulations

- a) Fence Regulations

Motion as previously provided as Notice of Motion at the May 12, 2020 Regular Meeting of Council:

Motion 20-111

C. O'Grady / A. Dowden

Resolved that the Town of Carbonear adopt the revised Fence Regulations as presented to Council.

Favour 7; Opposed 0; **Carried**

Mayor Butt inquired whether front fences would now be permitted in new subdivisions.

As recommended by the planner, front fences will not be permitted in new subdivisions. Rear yard and side yard fences would be permitted.

Snow clearing is one concern with front fences.
The new regulations require fencing of backyard pools.

13. New Business

- Mayor Butt advised that the Town requested a meeting with ERSB concerning problems with garbage collection and we have not received a response to that request to date.
If ERSB does not meet with us or provide better service, Mayor Butt advised he will not support payment of the next monthly invoice.
- Councillor Doyle noted that residents should not put complaints on Facebook, etc. but should contact the town on the day that it is missed.
If we don't know by Saturday, then can't be looked at until next week.
The local rep on the ERSB or our area, was contacted today to request why we can't get a response. We are looking to get a meeting and get the problems with garbage collection solved.
- Carbonear Collegiate having a virtual grad this year.
Council congratulates all the graduating students from Carbonear Collegiate.

14. Notices of Motion

No notices of motions were filed.

15. Adjournment

Motion 20-112


V. Jenkins / C. O'Grady

Resolved that the meeting adjourn at 6:33pm.

Next Council meeting is scheduled for Tuesday, June 23rd at 5:30pm.

Favour 7; Opposed 0; **Carried**

Mayor Frank Butt



Cathy Somers, Town Clerk