

Town of Carbonear
Regular Council Meeting, Dec 8, 2020
Minutes of a regular meeting of the Council of the Town of Carbonear
Electronic meeting (Zoom webinar), December 8, 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
EDTO Kerri Abbott

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1. Calling of Meeting to Order
Mayor Butt called the meeting to order at 5:35 pm and welcomed everyone to the meeting. Several participants are registered for today's virtual meeting of Council.

Mayor Butt recognized the passing of former Fire Department member Gord Ash who was a Fire Department member for the Town of Carbonear for over 10 years, and recently was Deputy Mayor of the Town of Victoria. Mayor Butt passed along condolences to the family and asked that Council keep the family in their thoughts and prayers at this time.
 2. Adoption of the Agenda for December 8 Regular Meeting
Motion 20-291 R. Noel / C. O'Grady
Resolved to adopt the agenda of the December 8, 2020 Regular Meeting of Council.
Favour 7; Opposed 0; **Carried**
 3. Adoption of the minutes
 - a) Regular Meeting – November 24, 2020
Motion 20-292 V. Jenkins / D. Doyle
Resolved to adopt the minutes of the November 24th, 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

Councillor Doyle asked if the permits listed without cost should be adopted. Town Clerk advised all permits listed can be approved.

a) Permit Listing # 9068, 9355-9361

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

Motion 20-293

D. Doyle / V. Jenkins

Resolved to approve permits # 9068, 9355-9361 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**

6.1 Correspondence, requiring Council's decision

None listed.

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

- November 25, GPS/ AVL Solutions with Skyhawk Telematics, December 8 @ 11 am.
- November 24, Provincial COVID-19 Stimulus Program
- November 27, Asset Management training
- November 30, Canada Wide Christmas Tree Lighting

Copied to Council, CAO and Town Clerk

b) Government NL

- Water Resources Management Division
 - RE: Spring 2020 Drinking Water Quality Data*
 - Forwarded to the Chief Administrative Officer and the Director of Operations & Public Works.
- Department of Environment, Climate Change and Municipalities
 - RE: COVID-19 Stimulus Program guidelines and application*
 - Forwarded to Chief Administrative Officer, Town Clerk and Council
 - RE: Safe Restart Funding for Municipalities*
 - Copied to the Chief Administrative Officer and the Town Clerk
- Department of Children Department of Children, Seniors and Social Development
 - RE: Nomination of Judy Cameron was not selected for 2020 Seniors of Distinction Awards.*
 - Forwarded to Recreation, Special Events, Culture & Tourism committee.
- Department of Transportation and Infrastructure
 - RE: Municipal Infrastructure Website Relocation*
 - RE: Notice of Payment of Status Reports*
 - Copied to the Chief Administrative Officer and the Town Clerk

- c) NL Public Health Laboratory, Test results of water samples collected on November 3, 2020 at North Atlantic, Midtown, Esso & Red Circle. Results marked satisfactory.
Placed on file.
- d) Pipe Down NL
RE: Resolution and Support Letter regarding excessive loud vehicle noise in communities.
Forwarded to Public Works, Waste Management and Community Service committee.
- e) Rural Development Network
RE: Call for expression of interest, affordable housing
Forwarded to the Economic Development, Planning and Land Use Development committee
- f) Property owner, English Hill Extension
Request for Service NL approval to install a septic field
Forwarded to the Economic Development, Planning and Land Use Development committee
- g) Islanders Softball Association
RE: Town support
Forwarded to Recreation, Special Events, Culture and Tourism committee
- h) SSVF Carbonear Foodbank
RE: Thank you for support over the year
Copied to Council
- i) Property owner, White Road
RE: Mail boxes
Forwarded to Public Works, Waste Management and Community Service committee
- j) Department of Sociology, Memorial University
RE: Request to distribute poster to residents of Carbonear to participate in study.
Forwarded to the Chief Administrative Officer and the Economic Development and Tourism Officer
- k) Newfoundland Power
RE: EV Charging Station Host application
Forwarded to the Chief Administrative Officer, Economic Development and Tourism Officer and Public Works, Waste Management and Community Service committee

7. Committee Reports

- a) Administration and Finance
Deputy Mayor O'Grady advised that the committee met on November 26th and noted the following from the meeting:
 - There is very little to report as the majority of the meeting was discussion on the budget, which we will have a separate meeting on this week. A Special Public Meeting of Council is scheduled for

Thursday, December 10th at 5:30pm via Zoom webinar for the presentation of the 2021 Budget.

- Children's Wish Tree, Request for donation
Approved as per the 2020 Donations list and will be sent along.

b) Recreation, Special Events, Culture & Tourism

Councillor Noel advised that the committee met on December 1st and noted the following from the meeting:

- Terms of Reference for the Recreation RFP
It was reported the Terms of Reference will be finalized in the New Year.
- Negative Facebook post This was discussed. A suggestion was made for the EDTO to meet with businesses over the coming weeks.
- Department of Children, Seniors and Social Development
2020 Seniors of Distinction Award. The nominee the town submitted was not selected for the award. Although not successful, we acknowledge her for her work.
- Budget requests
Reviewed the draft Parks and Playground budget for 2021 which will be presented on Thursday in the Budget meeting.
- Grant application accessible playground
Discussed funding opportunities.
- Trail possibilities
Councillor Noel inquired about staff assistance for research that is required to start the process for discussion with the committee set up to discuss trails. The EDTO and the Director of Recreation have contacts in the communities referenced and will both reach out to the municipalities identified.
- Rinks
The tarp is ready for one rink. As soon as the temperatures drop, flooding of the rink will start. We will see how the tarp works out.
- Winter programming
Programming for December has been advertised on social media. There are arts and craft planned for children (5-12) and an art class for older adults. There was also some discussion on sessions for junior and senior high students.
- Islanders Softball Association
Request for assistance from the Town for funding opportunities to construct a building similar to the building at Lion's Park.
A response was sent to them asking how we can help.

c) Economic Development, Planning and Land Use Development

Councillor Doyle advised that the committee met on December 3rd and noted the following from the meeting:

- Power Heights
Under review with the Town's lawyer. Deferred for further information.

➤ Development Applications

Motion 20-294

D. Doyle / D. Kennedy

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:

- *35 Goff Avenue to operate a driver training school conditional upon receiving Service NL approval and other applicable approvals from other government department and agencies.*
- *196 Water Street to operate a new business conditional upon receiving Service NL approval and other applicable approvals from other government department and agencies;*
- *192 Water Street to complete exterior repairs (window and door);*
- *15A Industrial Crescent to approve in principle the construction of a new building for professional offices and medical clinic conditional up receiving drawings and other documentation required for final review and approval including Service NL approval and other applicable approvals from other government department and agencies;*
- *173 Water Street to construct a fence conditional upon the Town of Carbonear Fence Regulations;*

Favour 7; Opposed 0; **Carried**

Motion 20-295

D. Doyle / R. Noel

Resolved to refuse the following applications since the development does not meet the Town of Carbonear Development Regulations:

- *38-40 Southside Lower Road to construct a fence as it exceeds the maximum height of 42 inches per the Carbonear Fence Regulations;*
- *34 Southside Lower Road to construct a fence as the fence is proposed to be located in the street reservation.*

Favour 7; Opposed 0; **Carried**

CAO advised staff will have conversations with the property owners to determine if changes can be made to their applications to comply with the regulations.

O'Driscoll's Lane -Portable shelter on property

Property owner has requested an extension until the spring to have the portable shelter removed from the property since it is filled with construction materials. *The committee recommends allowing the portable shelter to remain on the property until the spring.*

Rusted Place, application for construction of a ramp

This application was recently received but has not yet been reviewed. If the application meets the Town of Carbonear Development Regulations, it will be issued.

- Rural Development Network
RE: Call for expression of interest, affordable housing
The Rural Development Network is a non-profit organization that supports the sustainability of rural communities, and through the housing initiative they support communities in successfully accessing funding and developing affordable housing across Canada. The EDTO will look into this further.
- Wharf property on Water Street, as owned by an estate.
Committee discussed the order issued on the property. If a permit is approved, the order can be withdrawn. This has been relayed to the executor of the estate property.
- English Hill Extension, property owner request for letter from the town.
This item is being deferred for further discussion with Council.
The Development is not in area that permits residential development as per the Carbonear Municipal Plan and Development Regulations.
The matter will be referred back to Service NL, as any approval received by the property owner came from Service NL. The Town was not required to provide approvals to Service NL in the past for this area. Service NL should be able to process as they did in the past.
- MEO Report
Going forward, the MEO will attend the 1st Development Committee meeting each month. This will allow more time for investigation.
There are a number of reminder letters for business for patios and planters which is agreed to be removed in the fall. One of these businesses has already removed the planters since the Development Committee took place.
Property updates were provided on a number of properties. Several property owners are being sent various letters regarding the Town's concerns with their property.

The following motions are also recommended:

Motion 20-296

D. Doyle / D. Kennedy

Resolved to send an order to cease operations to the business situate at 173 Water Street for operating without a permit from this location contrary to the Town of Carbonear Municipal Plan and Development Regulations.

Favour 7; Opposed 0; **Carried**

Motion 20-297

D. Doyle / C. O'Grady

Resolved to send removal orders to the following property owners that have proceeded to develop without a permit from Council, contrary to the Town of Carbonear Municipal Plan and Development Regulations.

- 180 Water Street to remove the greenhouse placed on the property;
- 130 Valley Road to remove the rear deck;
- 5 Callidora Place to remove the rear deck;

- 53 Pondside Road to remove the greenhouse and shed;
- 20 D'Iberville Street to remove the front fence;
- 4 Fraize Avenue to remove the greenhouse;
- 2 Penney's Lane to remove the portable shelter;

Favour 7; Opposed 0; **Carried**

Trailers in the watershed area.

The MEO reported on a number of trailers remaining on properties in the Line Road area contrary to the policy. *The committee recommends the MEO complete further investigation to determine the owners of the travel trailers and if they are licensed and insured.*

Federal Grants – Hr. Authority

Some discussion took place indicating that according to the Harbour Authority, federal grants are based on species being offloaded over the wharf. This past summer a large number of species was offloaded on a private wharf on Water Street, thus resulting in a loss of revenue for the Harbour Authority. The committee is investigating if there is a way the Town could support the Harbour Authority to stop this from happening. CAO will obtain further info from Fisheries and Oceans and the Harbour Authority on the matter.

d) Public Works, Waste Management & Community Services

Councillor Jenkins advised that the committee met on November 26th and noted the following from the meeting:

- Meeting with the Legion – The Deputy Mayor and Councillor Jenkins attended a meeting with the legion members. Some repairs have already been completed. The matter is still being reviewed.

- Flyer mail boxes – Photos of the flyer mail boxes were received and reviewed by the committee.

The committee will recommend approval of the enclosed box option at the post office box sites only on a trial basis. If problems develop, the boxes will have to be removed from the sites.

- MEO Report / Update

MEO reviewed his report on property updates with the committee.

The following are the recommendations from his report.

Motion 20-298

V. Jenkins / C. O'Grady

Resolved to send a clean-up order to property situate 7 Callidora Place to remove metal, wood and other debris from the property.

Favour 7; Opposed 0; **Carried**

Motion 20-299

V. Jenkins / R. Noel

Resolved to send an order to remove asphalt placed on the property approved for a sod farm situate Line Road.

Favour 7; Opposed 0; **Carried**

Complaint on the condition of 212 Water Street

The MEO investigated and provided photos to the committee for review. Per the photos reviewed, the building is dilapidated and in need

of repair.

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

124 Water Street, vehicle parked on the property - The MEO

investigated and provided photos of the vehicle parked on the property.

The MEO reported the building on the property is also in need of repair.

The committee recommends forwarding correspondence to the property owner to request their intention for repairs to the building on the property and the parked vehicle on the property.

➤ Tree Maintenance

The tree maintenance is ongoing. The branches are complete and there are some trees to be removed. There has been a lot of positive feedback from local residents. Director of Operations and Public Works advised that the tree removals have been completed as well now. They will also be providing a quote in the spring for maintenance of the Town flower beds and green spaces.

➤ Resident, London Road concerns with road repairs

The Director of Operations and Public Works reported he investigated the concern and this work can be placed on the maintenance list for consideration in the spring.

➤ 180 Water Street and 232-234 Water Street

Permits were issued for these properties to place temporary structures in the street reservation for the summer season with the stipulation that they were to be removed by October 31. The Director reported that these structures will impede snow clearing operations this season. *The committee recommends sending a letter to both properties reminding them of the condition in their permit and requesting removal of the structures in the street reservation.*

This was discussed earlier in today's meeting under the Development Committee report. The temporary structures have already been removed from the property of 232-234 Water Street. The property owner of 180 Water Street will be sent a letter.

➤ Valley Road, Water Leak

Property owner inquired if Council workers would be returning to his property to tidy up after the water leak was repaired. Staff will return to complete clean-up of the area.

➤ Budget List for the Public Works Department

Committee reviewed items for the 2021 budget suggested by the Director of Operations and Public Works, which includes the following equipment:

- Plow Truck Replacement, estimated cost \$50,000
- Plow Replacement, estimated cost \$10,000.
- Replacement of the Asphalt Recycler

8. Reports of Chief Administrative Officer and Department Heads
None listed.

9. Finance

- a) **Operating Invoices** over \$2,000.00 in the amount of.....\$72,254.72

Motion 20-300

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 \$72,254.72.

Favour 7; Opposed 0; **Carried**

- b) **Capital Invoices:**

Water Street Revitalization (Part C), PN 18-130

Harris & Associates Ltd, Engineering Invoice #6747.....\$7,802.75

Mayor Butt declared a conflict of interest on the Water Street Revitalization (Part C), PN 18-130 as he owns property in that area on Water Street.

Harris & Associates Ltd, Engineering Invoice #6747.....\$7,802.75

Mayor Butt then left the meeting and Deputy Mayor O'Grady assumed the position of Chair.

Motion 20-301

R. Noel / V. Jenkins

Resolved that the Town of Carbonear approve for payment the following capital project invoice:

Water Street Revitalization (Part C), PN 18-130

Harris & Associates Ltd, Engineering Invoice #6747.....\$7,802.75

Favour 6; Opposed 0; **Carried**

Mayor Butt was called back in to the meeting.

10. Regulations

None listed.

11. New Business

No new business.

12. Notices of Motion

No notices of motions were filed.

13. Adjournment

Motion 20-302

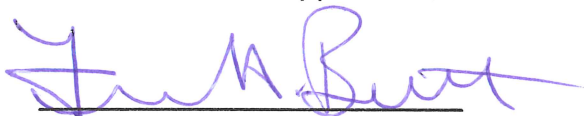
C. O'Grady / R. Noel

Resolved that the meeting adjourn at 6:05pm.

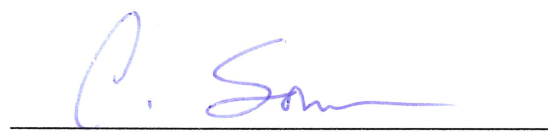
Mayor Butt advised that the next meeting is scheduled for December 22nd at 5:30pm.

Special Meeting of Council to adopt the 2021 Budget meeting December 10th at 5:30pm

Favour 7; Opposed 0; **Carried**



Mayor Frank Butt



Cathy Somers, Town Clerk