

Town of Carbonear
Regular Council Meeting, February 9, 2021
Minutes of a regular meeting of the Council of the Town of Carbonear
Electronic meeting (Zoom webinar), February 9, 2021 at 5:30pm

Members Present: 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
Deputy Mayor O'Grady called the meeting to order at 5:34 pm and welcomed everyone to the meeting. Several participants are registered for today's virtual meeting of Council.
 2. Adoption of the Agenda for February 9, Regular Meeting
Motion 21-031 V. Jenkins / R. Noel
Resolved to adopt the agenda of the February 9, 2021 Regular Meeting of Council.
Favour 6; Opposed 0; **Carried**
 3. Adoption of the minutes
 - a) Regular Meeting – January 26, 2021
Motion 21-032 D. Kennedy / D. Doyle
Resolved to adopt the minutes of the January 26th, 2021 Regular Meeting of Council.
Favour 6; 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 # 9386-9392
Councillor Doyle requested Council to review the list of permits for any possible conflict of interest.
Motion 21-033 D. Doyle / D. Kennedy

Resolved to approve permits # 9386-9392 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**

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) Eastern Regional Service Board
RE: Public Notice, Canada Post Privacy Breach
Forwarded to Chief Administrative Officer and the Town Clerk. Shared on social media.
- b) Municipalities NL
 - February 3, MUN Engineering Students
 - February 1, InfoNOTE, Municipal Solutions Platform
 - February 1, Municipal Sector News, Innovative Solutions
 - January 28 @ 7pm, Free webinar – Mental Health Task Force
 - January 27, Provincial Election 2021
- c) Baccalieu Trail SPCA
RE: Request for donation
Forwarded to Administration and Finance committee
Deputy Mayor advised they would like to make a presentation to Council advising of the services they can provide to the Town.
- d) Correspondence from individual regarding emergency service concern
Forwarded to Administration and Finance committee
This will be reviewed by Committee with a recommendation to Council.
- e) Group request for meeting space
Forwarded to Administration and Finance committee
- f) Communities Against Violence
RE: Free Mental Health First Aid Course
Forwarded to Recreation, Special Events, Culture and Tourism committee, copied to the Economic Development and Tourism Officer and the Director of Recreation.
- g) Individual complaint regarding property on Water Street
Forwarded to Public Works, Waste Management and Community Services committee
- h) Recreation NL
RE: Funding approved in the amount of \$2,000 under the COVID-19 Emergency Support Fund for Recreation and Sport.
Funds received and processed.
- i) Rock Networks Inc.
RE: Letter of support for Rural Broadband in NL
Forwarded to Administration and Finance committee
- j) CBDC Trinity Conception

RE: Monthly newsletter
Forwarded to Council. Placed on file

- k) Heritage NL
RE: Heritage Update for February
Forwarded to Council. Placed on file

7. Committee Reports

- a) Public Works, Waste Management and Community Services
Councillor Jenkins advised that the committee met on January 28th and noted the following from the meeting:

➤ Business Arising

Asphalt list

Committee reviewed the updated asphalt list for 2021 as provided by the Director of Operations and Public Works for consideration. *The committee recommends to include a section of road on Highroad South (Saddle Hill). The committee recommends the Director add the cost for the approved list for 2020 as well.* The Director will obtain estimates for Saddle Hill and revise the list for further review with committee.

Animal Control Regulations

Some discussion took place on these regulations.

The Regulations were updated a few years ago, few chickens and chicken coops were allowed. No other farm animals were included at that time.

The MEO has received some verbal complaints.

To date, the Town has not received any formal correspondence regarding complaints of animals on properties.

The committee does not recommend any further review or action on the matter until a formal complaint is received in writing.

➤ MEO Report / Update

The MEO served a Clean Up Order on a property owner, clean up has started on another property and he is following up with Water Resources regarding the abandoned motorhome in the Line Road.

➤ Public Works

Snow clearing has been going well. If snow clearing continues in this manner, the Town may not need to purchase ice control materials next season.

➤ New Business

Councillor Inquiry - Town paying for Gadden's Mash garbage

Committee reviewed the matter, the individuals in this area pay, the town does not pay for collection in that area.

The committee was satisfied that the Town of Carbonear is not paying for Gadden's Mash garbage.

Guard rail - Highroad South

The Director reported posts with reflectors have been installed in the area. This should address the concerns.

Snow clearing trail entrances

The committee discussed the matter. Discussed about 20 inlets and accesses. With other work to be done, it is not feasible to be able to commit to getting this work accomplished.

The committee does not recommend starting to clear entrances to the trails within the town for ease of access by ATV's.

Further discussion took place by Council on the matter. Individual councillors identified various areas where they felt it would not take much extra work to keep the snow cleared past the entrances to the trails: Top of White Carriage Lane, bottom of Mount Royale Estates, bottom of O'Driscoll's Lane towards beach.

Director of Operations and Public Works noted the two examples at White Carriage Lane and the bottom of Mount Royale Estates are correct. However there are many other locations on the Southside, where the track has many perpendicular intersections to the Town Streets which become more difficult to clear.

It was noted that this request was made by a councillor on behalf of the residents and that he feels Council has an obligation to do this when we can accommodate it. If this can be done after the regular snow clearing that would be a great asset.

This would benefit both ATV users, walkers and trail users of all types.

It was suggested that the Director could list all the areas and note those that can be done with ease and those that would create challenges.

It was agreed the Director of Operations would review further with Committee.

Traffic circle

The consideration of a traffic circle on Beach Road/Highroad South/Powell Drive/Pondside Road intersection was discussed by the Committee.

The committee did not make any recommendations but proposed further discussion with Council.

Some discussion was held with Council on this matter.

Councillor Noel noted that the special committee appointed by Council, ATV T'railway Committee, met with the RCMP and the Pondside intersection was raised. The Committee is doing some research and will be reporting back to Council on their findings.

Deputy Mayor O'Grady noted that the Public Works Committee reviewed projects for capital works, and this traffic circle was not prioritized. If we decide on a traffic circle, it would probably be at 100% cost to the Town as it does not include water/sewer which is priority when receiving capital works funding. Access to Water Street was an issue last year, when construction of Water Street, Phase I was ongoing, and this year we hope to start Phase II of Water Street, and we would not want two issues with traffic access for 2 separate projects at the same time.

Councillor Doyle noted that there were diagrams completed for two traffic circles, the other one was on Powell Drive/Whites Road/Goff Avenue. She understood Powell Drive was no longer being considered as there wasn't enough space for the traffic circle in that area and it came off Council's list for consideration. She asked why the Pondside one came off the agenda.

Deputy Mayor O'Grady noted that it was not identified as a priority at the time, due to the cost and when Council considered the projects they were submitting for Capital Works Funding, it was not raised by any council members as a priority at that time.

Director of Operations and Public Works advised there was a rough estimate provided around \$1,000,000 to complete, but no formal estimate has been obtained. When this project was last discussed, the council minutes reflect that Council would not proceed any further with the project.

It was suggested that if we do not proceed with a traffic circle in this area, we should review the intersection design to determine if there are other improvements that could be completed to reduce traffic concerns at this intersection.

It was agreed that Council would obtain an estimate for completion of the traffic circle and look at other options to improve the safety of this intersection.

Public Works Committee to review further when estimates and other suggested improvements are received.

Water Leak in Right of Way off Mahaney's Lane

Councillor Jenkins indicated that he received a phone call from the property owner about a leak in the right of way. This was investigated. It is the responsibility of the owner of the water line to complete the repairs. The Town does not complete repairs to water service lines on private property.

Councillor Kennedy asked if there was another property connected to it.

Director of Operations and Public Works confirmed that another property on Hoyles Road is also connected on the line as well.

Councillor Doyle inquired about the owner of the public right of way. It was noted that this is privately owned.

b) Economic Development, Planning and Land Use Development

Councillor Doyle advised that the committee met on February 4th and noted the following from the meeting:

➤ Business Arising – January 21

Penney's Lane, accessory building

Looking at helping a resident to get a shed on his property. Still looking to get that sorted through.

Municipal Boundary Extension

Still to schedule meeting with Council on this matter.

➤ MEO Report

Some property owners are getting memos, letters, etc. regarding their situation. Some need to submit permit application for work that is being completed on their property, etc.

The following motion is also recommended:

Motion 21-034

D. Doyle / R. Noel

Resolved to send removal orders to the following properties without permits from Council contrary to the Town of Carbonear Municipal Plan and Development Regulations:

- 5 Captain Franks Lane - to remove the extension to the shed
- 25 Gladstone Road - to remove the accessory building (chicken coop)
- 37 Gladstone Road - to remove the deck

Favour 6; Opposed 0; **Carried**

➤ Development Applications

177 Water Street; RE: Wharf extension

Application is for the property of an estate, which is on the water front. The CAO will have to investigate further before the Committee can make a recommendation on the application.

Line Road, Crown Land referral

Motion 21-035

D. Doyle / V. Jenkins

Resolved to approve the Municipal Recommendation form for Crown Land application number 1015584 to purchase land on the Line Road that has an existing cabin.

Favour 6; Opposed 0; **Carried**

Other Development Applications

- 54 Adelaide Street
- 12 Southside Lower Road
- 8 Hayden Heights

Councillor Kennedy declared a conflict on the matter of 8 Hayden Heights as that is his sister's property.

Motion 21-036

D. Doyle / A. Dowden

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:

- 54 Adelaide Street to operate a home-based business (auto detailing) provided no objections or representations are received from the discretionary use advertisement in the local paper;
- 12 Southside Lower Road to complete an extension to the garage conditional upon no objections or representations being received from the discretionary use advertisement published

Favour 6; Opposed 0; **Carried**

Councillor Kennedy then left the meeting for the matter concerning 8 Hayden Heights.

Motion 21-037

D. Doyle / V. Jenkins

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

- 8 Hayden Heights to place an accessory building (car port) on the property conditional upon no objections or representations being received from the discretionary use advertisement published;

Favour 5; Opposed 0; **Carried**

Councillor Kennedy was then called back into the meeting.

➤ **Correspondence**

Resident, Bunker Hill

RE: Complaint neighbouring property operating a sawmill

The CAO followed up on this matter and the neighbouring property owner will cease operating a sawmill at that location and then operate from a different location that has been approved.

➤ **New Business**

Power Heights, motion to accept street

The CAO reported to the committee that the deed of conveyance is at the law office for signing. A motion of Council is required.

Motion 21-038

D. Doyle / D. Kennedy

Resolved to accept the extension of the street, Power Heights, in accordance with survey completed and the easement provided for the use of the turnaround area.

Favour 6; Opposed 0; **Carried**

- 20 D'Iberville Street, Order issued to remove fence
It has been determined that the fence as constructed does meet the requirements of the Fence Regulations.

Motion 21-039

D. Doyle / R. Noel

Resolved to withdraw the order to remove the fence at 20 D'Iberville Street.

Favour 6; Opposed 0; **Carried**

- Newsletter – The EDTO reported that she is nearing completion of a newsletter that will be distributed in February. There will be another newsletter distributed around the month of June and another in the fall. The committee recommends distributing the newsletter digitally through website and social media and providing hardcopies to those that request the newsletter. This will include new activities and notices.
- c) Recreation, Special Events, Culture and Tourism
Councillor Noel advised that the committee met on February 2nd and noted the following from the meeting:
 - Business arising from minutes – January 19
 - Trail Maintenance
Trail maintenance is being deferred due to the snowfall.
 - Summer Recreation program
The Director of Recreation applied to the Canada Summers Jobs on behalf of the Recreation Department. Will be some further discussions with the Rec Commission on this at a later time.
 - Culture & Tourism & Special Events
Winter Carnival Events are being planned: contests, rink activity, fireworks. Further detail will be made available when finalized.
 - Correspondence
 - Communities Against Violence
There is a free Mental Health First Aid Course for Adults who interact with youth. February 25 and 26. Deadline to register: February 15.
 - Complaints, Re. Carbonear Pool parking
There were two letters of complaints received that parents are parked waiting to pick up school children using up the parking spots for the pool patrons. *The Director of Recreation to contact the school principal to send a notice to the parents to advise of the complaints received from pool patrons and request parents refrain from parking in pool parking spaces during dismissal times.*
 - New Business
 - 1992 Summer Games Scholarship application
There was a concern identified with the deadline of September 30 on the existing application form. The date will be replaced on the application form Date to be replaced.
 - Volunteers Special Events Committee
It was noted that the Special Events Committee is down two volunteers and may be looking to fill these spaces.

Councillor Doyle noted that the stadium has been closed until Friday. She asked if there are any changes to our pool facilities. Councillor Noel advised that there has been some discussion on the matter. There are no recommendations from Public Health at this point. We will continue to use the best practices and proper protocols as identified by Public Health. If further recommendations are made by the Chief Medical Officer, then we will comply with those recommendations. It was noted that there is a circuit breaker in place for the Metor region right now. If there is any spread identified in our area, there will probably be more restrictions for this area as well.

d) Administration and Finance

Councillor Kennedy advised that the committee met on January 28th and noted the following from the meeting:

➤ Business arising from January 13

Teamsters Union Local 855 collective bargaining

Negotiations are continuing.

Policy on correspondence received

The Town Clerk presented a draft of the Processing Correspondence Policy to the committee. *The committee will review for further discussion at the next meeting.*

➤ Correspondence

Water Street property, Application received under the Heritage Financial Incentive Policy

Staff worked through the application and are waiting for addition items to be provided.

Theatre Operating Grant

Motion 21-040

D. Kennedy / D. Doyle

Resolved that the Town of Carbonear approve the operating grant to be paid to the Princess Sheila NaGeira Theatre in the amount of \$10,000 for 2020 and \$10,000 for 2021.

Favour 6; Opposed 0; **Carried**

➤ New Business

Consideration or interest adjustment

Motion 21-041

D. Kennedy / R. Noel

Resolved to adjust interest in the amount of \$4,006.72 on Account EASTR003.

Favour 6; Opposed 0; **Carried**

Application for Interest Adjustment Form for 2021 and Policy Change

A couple of years ago we developed a policy for this. Changes are being considered to the policy. *The committee recommends suggested changes to the policy. The Town Clerk to revise policy.*

SPCA

The committee felt the Town should make a donation to the SPCA. Committee to further investigate and make recommendation to Council.


Water Street property, with wharf on the water.

Committee is doing further review of this property.


Strategic Plan

The process of completing the Town's Strategic Plan has commenced. Our EDTO, Kerri Abbott is leading this process.

8. Reports of Chief Administrative Officer and Department Heads
No reports listed.
9. Finance
 - a) Operating Invoices over \$2,000.00 in the amount of.....\$109,246.68
Motion 21-042 **D. Kennedy / A. Dowden**
Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 as submitted, totaling \$109,246.68.
Favour 6; Opposed 0; **Carried**
10. Regulations
None listed.
11. New Business
Councillor Doyle commended our residents who are working with public health this week and the throughout the past year and in the future.
Council expressed their appreciation for all the Public Health staff for their efforts during the Covid-19 Pandemic.
12. Notices of Motion
No notices of Motions were filed.
13. Adjournment
Motion 21-043 **V. Jenkins / D. Kennedy**
Resolved that the meeting adjourn at 6:36pm.
Deputy Mayor O'Grady advised that the next meeting is scheduled for February 23rd, 2021 at 5:30pm.
Favour 6; Opposed 0; **Carried**



Deputy Mayor O'Grady



Cathy Somers, Town Clerk