Town of Carbonear Regular Council Meeting, October 12th, 2021

Minutes of a regular meeting of the Council of the Town of Carbonear held in Council Chambers and with attendees via Zoom webinar, October 12th, 2021 at 5:30pm

Outgoing Council

Members Present: Mayor

Deputy Mayor Councillors Frank Butt

Chris O'Grady Danielle Doyle

Ray Noel Vic Jenkins

Amanda Dowden David Kennedy

Incoming Council

Members Present: Mayor

Councillors

Frank Butt

Sam Slade Danielle Doyle Chris O'Grady

Ray Noel

Malcolm Seymour

Peter Snow

Also Present:

Town Clerk

Chief Administrative Officer

Director of Operations

& Public Works

Director of Recreation

& Tourism

Economic Development &

Tourism Officer

Cathy Somers

Cynthia Davis

Ian Farrell

Rob Button

Kerri Abbott

1. Calling of Meeting to Order

Mayor Butt welcomed everyone to the meeting and called the meeting to order at 5:38pm. Several participants are registered for today's Council meeting viewing through Zoom and others are present with Council in the Council Chambers.

2. Approval of the Agenda for October 12, 2021

CAO asked to have the quote for the Christmas Tree for the pergola area added to the Agenda under Finance 9. c) Quote for Christmas Tree

Motion 21-325

C. O'Grady / R. Noel

Resolved to amend the October 12, 2021 Regular Council Meeting agenda to include the following item:

Finance 9. c) Quote for Christmas Tree.

Favour 7; Opposed 0; Carried

Motion 21-326

D. Doyle / A. Dowden

Resolved to adopt the agenda of the October 12, 2021 Regular Meeting of Council as presented and amended.

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Favour 7; Opposed 0; Carried

- 3. Adoption of the Minutes
 - a) Regular Meeting September 21, 2021

Motion 21-327

C. O'Grady / D. Doyle

Resolved to adopt the minutes of the September 21, 2021 Regular Meeting of Council as presented.

Favour 7; Opposed 0; Carried

- 4. Business Arising from the Minutes No Business Arising
- 5. Proclamations/Presentations/Delegations
- 5.1 Transition of the Outgoing Council and Incoming Council. Conducted by the Town Clerk
 - Thank-you to outgoing Council members
 Mayor Butt thanked the outgoing council members for their service to the Town.

Each of the other Councillors were given an opportunity to speak and they also thanked their former Council members and congratulated the newly elected members to Council.

Town Clerk

On behalf of all the Town staff, the Town Clerk thanked the outgoing Council members for their support and commitment to the Town during the time they served on Council, and wished them well in their future endeavors.

The outgoing Council members were then asked to vacate their positions around the Council table, and take a seat in the audience.

 Announcement and Introduction of the new Council members elected on September 28, 2021

Town Clerk announced the new Council members elected:

Mayor Frank Butt

Councillors: Sam Slade

Danielle Doyle Chris O'Grady

Ray Noel

Malcolm Seymour

Peter Snow

Town Clerk congratulated the new Council members, wished them well in their positions for the next four years, and noted that she and the other staff members look forward to working with the new Council.

- Oaths of Office for Council members elected on September 28, 2021 to be witnessed by the Returning Officer, Cathy Somers
 Returning Officer and Town Clerk then called on each of the new Council members individually to take their Oath of Office:
 - Mayor Frank Butt
 - Councillor Sam Slade
 - Councillor Danielle Doyle

- Councillor Chris O'Grady
- Councillor Ray Noel
- Councillor Malcolm Seymour
- Councillor Peter Snow
- 5.3 Election of Deputy Mayor as per Section 18 of the Municipalities Act to be conducted by the Town Clerk.

As per Section 18 of the Municipalities Act, 1999

Town Clerk called for nominations for the position of Deputy Mayor.

Councillor Snow nominated Councillor Sam Slade for the position of Deputy Mayor. Councillor Seymour seconded the nomination.

Town Clerk asked Councillor Slade if he would accept the nomination.

Councillor Slade accepted the nomination.

Town Clerk asked if there were any other nominations for the position of Deputy Mayor.

Town Clerk asked for the second time if there were any other nominations for the position of Deputy Mayor.

Town Clerk asked for the third and final time if there were any other nominations for the position of Deputy Mayor.

No other nominations for the position of Deputy Mayor were received.

Councillor Sam Slade was declared as Deputy Mayor Sam Slade for the Town of Carbonear by acclamation.

- Oath of Office for the position of Deputy Mayor
 Cathy Somers, Returning Officer and Town Clerk then witnessed Councillor Sam
 Slade take his Oath of Office for the position of Deputy Mayor for the Town of
 Carbonear.
- 6. Correspondence, Permits & Development
 - a) Permit Listing # 9676-9704

Councillor Doyle asked Council to review the list of permits for any possible conflict of interests.

Councillor Snow declared a conflict of interest on permit #9701 as that is for his brother-in-law.

Councillor Doyle requested further information on permit #9700 as to the owners of the company.

Motion 21-328

D. Doyle / C. O'Grady

Resolved to approve permits #9676-9704, excluding permits #9700 and #9701, as per the 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

Councillor Snow then left the Council meeting due to conflict of interest on Permit # 9701.

Motion 21-329

D. Doyle / R. Noel

Resolved to approve permit #9701, as per the 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**Councillor Snow was called back into the meeting.
Permit # 9700 was deferred for further information.

b) 34 Southside Lower Road – construct a porch CAO reviewed the application with Council. She advised the application meets most of the standards except the building line setback. The dwelling does not conform to the setback but the porch is setback further than the dwelling. If the Council does not deem it more non-conforming, they can consider approving the application.

This is a situation where Council could use their Discretionary power under Section 10 to approve the application if that is what they would like to do.

Motion 21-330

D. Doyle / P. Snow

Resolved to approve permit for 34 Southside Lower Road to construct a porch as per the application submitted and in accordance with the Town of Carbonear Municipal Plan and Development Regulations as per Section 10, Discretionary Powers of Council.

Favour 7; Opposed 0; Carried

- 6.1 Correspondence, requiring Council's decision
 - a) Tender for Visual Assessment of 190 Water Street
 - DBA Consulting Engineers Ltd in the amount of \$2,450 HST included.

CAO reviewed the item with Council. A call for quotes was sent to three companies and only one submitted a quote. This property was acquired by the Town through tax auction and after discussion with the Town's lawyer, it was recommended to obtain an assessment by a structural engineer before the Town proceeds to call for proposals for the development of the property as interested parties would need to be able to enter the property. A motion of Council is required if you want to proceed to have this work completed.

Discussed.

Motion 21-331

C. O'Grady / D. Doyle

Resolved to award the contract for the visual assessment of the property of 190 Water Street to DBA Consulting Engineers Ltd. in the amount of \$2,450 HST included.

Favour 7; Opposed 0; Carried

6.2 Correspondence received and action taken

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

- a) Government of Newfoundland and Labrador
 - COVID 19- Election Information
 Copied to Town Clerk and Chief Administrative Officer
 - Department of Transportation and Infrastructure Surplus Equipment Copied to the Chief Administrative Officer and the Director of Operations and Public Works
 - Department of Municipal and Provincial Affairs regarding Municipal Budget Training Copied to Council

- b) Municipalities NL
 - Positions on the MNL Board, Deadline October 4 Copied to Council
 - Municipal Pipeline Project, copied to Council, Administration and Department Heads.
 - Announcement of Board of Directors Candidates Copied to Council
 - Notice of the 2021 Annual General Meeting Copied to Council
- c) Royal Canadian Legion Branch 23

RE: The opening of the Poppy Campaign, Thursday, October 28 @ 7pm at the Legion. Copied to the Mayor.

RE: Invitation to attend the Remembrance Banquet on November 13. Copied to the Mayor and Council.

- d) Municipal Assessment Agency RE: Call for nominations - Urban and Avalon Region Directors. Nominations close at 4 p.m. October 28. Copied to Council.
- The Kidney Foundation is doing an online auction this year as opposed to e) their annual gala. Request for donation. Forwarded to the Administration and Finance committee.
- f) Kiwanis Club of Carbonear RE: Naming of a room in the new extension of the theatre Forwarded to the Administration and Finance committee.
- g) Federation of Municipalities RE: Sustainable Communities Conference Program Copied to Council.
- 7. Committee Reports No committee reports filed.
- 8. Reports of Chief Administrative Officer and Department Heads None filed.
- 9. **Finances**
 - List of invoices over \$2,000 in the amount of \$100,092.52 a) **Motion 21-332** C. O'Grady / R. Noel

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$100,092.52 as submitted to Council. Favour 7: Opposed 0: Carried

Capital Invoices: b)

> Valley Road Phase 3, Water, Sewer, Storm & Street Upgrading PN 21-102(MA 17-GI-21-00041) Harris & Associates, Engineering Invoice #6870.....\$43,782.69 KelCo Construction Inc, CP# 1......\$509,099.29 Water, Sewer & Street Upgrading, Marshall Drive PN 21-101 (MA 17-GI-21-00092) Harris & Associates, Engineering Invoice #6869.....\$18,173.68

> Highroad South Water and Sewer (17-GI-20-00039)

Black Diamond Construction Ltd, CP #2.....\$197,960,31 Councillor Noel declared a conflict of interest on the Valley Road Phase 3 Project as his parents own property in that area.

Councillor Noel then left the meeting.

Motion 21-333

C. O'Grady / P. Snow

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

<u>Valley Road Phase 3, Water, Sewer, Storm & Street Upgrading</u> <u>PN 21-102(MA 17-GI-21-00041)</u>

Harris & Associates, Engineering Invoice #6870......\$43,782.69 KelCo Construction Inc, CP# 1.....\$509,099.29

Favour 6; Opposed 0; Carried

Councillor Noel was called back into the meeting.

Motion 21-334

C. O'Grady / P. Snow

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

Water, Sewer & Street Upgrading, Marshall Drive PN 21-101 (MA 17-GI-21-00092)

Harris & Associates, Engineering Invoice #6869......\$18,173.68 Highroad South Water and Sewer (17-GI-20-00039)

Black Diamond Construction Ltd, CP #2.....\$197,960.31

Favour 7; Opposed 0; Carried

c) Quote for Christmas Tree

CAO reviewed the quote for the Christmas Tree and flagpole for the pergola area with Council. The 2021 budget includes a budget for these two items. The cost of both of these items, net of HST rebate is within budget.

CAO noted that if Council wants to proceed with the purchase a motion of Council is required. To ensure delivery in time for the season, it would need to be ordered as soon as possible.

Motion 21-335

R. Noel / D. Doyle

Resolved that the Town of Carbonear approve the purchase of the following:

- 35' x 14' Flagpole Tree of Lights, UL certified Multi-coloured mini lights LED as quoted by Dekra-Lite for the price of \$12,750 + HST and shipping
- 35' x 6" butt 2 piece cone tapered flagpole, external halyard complete with anchor bold, fixed base and external halyard, satin finish for the price of \$3,196 + HST.

Favour 7; Opposed 0; Carried

10. Regulations for Adoption No regulations listed.

Notices of Motions No notices of motions were filed.

12. New Business

 Mayor Butt noted that he looks forward to having a cohesive council and working with all of Council, both the new and former council members.

- Mayor Butt advised that on Monday, October 25th we will be starting a new feature which will take place on the 4th Monday of each month, "Ask the Mayor". Residents can submit their questions to be answered by the Mayor.
- 13. Adjournment

Motion 21-336

S. Slade / P. Snow

Resolved that the meeting adjourn at 7:12pm and that Council meet again for a Regular Council Meeting on Monday, October 26, 2021 at 5:30pm.

Mayor Frank Butt

Cathy Somers, Town Clerk