

Town of Carbonear
Regular Council Meeting, November 23rd, 2021

Minutes of a regular meeting of the Council of the Town of Carbonear held in
Council Chambers and with attendees via Zoom webinar, Nov. 23rd, 2021 at 5:30pm

Members Present: Mayor Frank Butt
 Councillors Sam Slade
 Danielle Doyle
 Chris O'Grady
 Ray Noel
 Malcolm Seymour
 Peter Snow

Also Present: Town Clerk Cathy Somers
 Chief Administrative Officer Cynthia Davis
 Director of Operations
 & Public Works Ian Farrell
 Director of Recreation Rob Button
 Economic Development &
 Tourism Officer Kerri Abbott

-
1. Calling of Meeting to Order
 Mayor Butt welcomed everyone to the meeting and called the meeting to order at 5:39pm. Several participants are registered for today's Council meeting viewing through Zoom.
 2. Approval of the Agenda for November 23, 2021 Regular Meeting
 Motion 21-384 R. Noel / C. O'Grady
 Resolved to adopt the agenda of the November 23, 2021 Regular Meeting of Council as presented.
 Favour 7; Opposed 0; **Carried**
 3. Adoption of the minutes
 - a) Regular Meeting – November 9, 2021
 Motion 21-385 S. Slade / M. Seymour
 Resolved to adopt the minutes of the November 9, 2021 Regular Meeting of Council as presented.
 Favour 7; Opposed 0; **Carried**
 - b) Special Meeting – November 16, 2021
 Motion 21-386 S. Slade / P. Snow
 Resolved to adopt the minutes of the November 16, 2021 Special Meeting of Council as presented.
 Favour 7; Opposed 0; **Carried**
 4. Business Arising from Minutes
 5. Proclamations / Presentations / Delegations

6. Permits and Correspondence

6.1 Permit Listing # 9733-9738

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

Motion 21-387

D. Doyle / R. Noel

Resolved to approve permits #9733-9738 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**

6.2 Correspondence, requiring Council's decision

6.3 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
 - Digital Government and Service NL
RE: November 15, 2021 - Boil Water Advisory
Placed on Town website and social media.
RE: November 18, 2021 – Boil Water Advisory lifted
Placed on Town website and social media.
 - Department of Environment and Climate Change
RE: Water Resource Management Division - Working in and within
15 metres of a waterbody.
Forwarded to the Economic Development, Planning and Land Use
Development committee.
RE: Public Consultation on the Drinking Water Safety Action Plan
 - Municipal and Provincial Affairs, Office of the Minister
RE: Municipal Come Home Year Celebration grant
Forwarded to Recreation, Special Events, Culture and Tourism
committee.
 - Department of Justice and Public Safety, Fire Services Division
RE: Application for financial assistance towards firefighting
equipment was not approved.
Forwarded to the Chief Administrative Officer and the Fire Chief
and the Public Works, Waste Management and Community
Services committee.
- b) Municipalities NL
Various InfoNotes forwarded to Council.
- c) Federation of Municipalities
Various email forwarded to Council.
- d) The Splash Centre, Request for financial support
Forwarded to the Administration and Finance committee.
- e) Property owner, Lemarchant Street
RE: Fence on the property
Forward to the Economic Development, Planning and Land Use
Development committee.

- f) Early Learning and Child Development Division Department of Education
RE: Child Care Capacity Funding Initiative
Forwarded to Administration and Finance committee
- g) Property owner, Janes Avenue
RE: Water leak on the property
Forwarded to Public Works, Waste Management and Community Services committee.
- h) Bethany United Church
Thank to for supporting the Halloween Trunk or Treat event.
Copied to Council.
- i) Property owner, D'Iberville Street
RE: Complaint of neighbouring property.
Forwarded to Public Works, Waste Management and Community Services committee.
- j) Member of Parliament of Avalon
RE: New Horizons for Seniors Call for Proposals 2021
Forwarded to Recreation, Special Events, Culture and Tourism committee
- k) Innovation, Science and Economic Development
RE: Links to federal government programs and resources for the economic development office
Copied to the Chief Administrative Officer and the Economic Development and Tourism Officer.
- l) Carbonear Minor Islander's Association (Softball)
RE: Request to meet to discuss the 2021-2022 season
Forwarded to Recreation, Special Events, Culture and Tourism committee.

7. Committee Reports

- a) Public Works, Waste Management and Community Services
Deputy Mayor Slade advised the committee met on November 10th and advised Council they could peruse through the committee meeting minutes. Any questions can be addressed to CAO, Councillor Seymour or Deputy Mayor Slade.
Deputy Mayor Slade noted that he is bringing forward the following motions related to the Public Works Committee:
 - Motion 21-388** **S. Slade / P. Snow**
Resolved to advertise an RFP to complete a hazardous assessment of all town properties constructed after 1985 in accordance with the directive of Workplace Health and Safety.
Favour 7; Opposed 0; **Carried**
 - Motion 21-389** **S. Slade / C. O'Grady**
Resolved to advertise a request for proposals for the purchase and development of the building and property at 190 Water Street.
Favour 7; Opposed 0; **Carried**
 - Motion 21-390** **S. Slade / M. Seymour**
Whereas Butt's Lane is a narrow right of way that accesses 2 to 3 properties, and for practical purposes a 15 m reservation cannot be provided;
Be It Resolved to designate Butt's Lane as a minor street with a reservation of 10 m for the purposes of development.

Favour 7; Opposed 0; **Carried**

Motion 21-391

S. Slade / R. Noel

Resolved to send a clean-up order to the property 42 Irishtown Road;

Favour 7; Opposed 0; **Carried**

Councillor O'Grady inquired about the following items:

- Furey's Lane matter.

There is a do not enter sign for vehicles at coming from that direction but it is not a one-way street and residents leaving their driveways can go in either direction. *The committee does not recommend removing the sign as it will limit traffic flow on that street but does not prevent residents from going in either direction when leaving their driveways.* It was reported the town has no jurisdiction over the individual on the street. That would be a matter for the RCMP. If Council were to consider making it a one way street, then it should first consult with a traffic consultant on the matter.

No further action is required at this time.

- Options for the Powell Drive / Highroad South / Pondsides Intersection

Can the committee review the option of installing pedestrian lights for the crosswalk locations.

Committee will review various options for a recommendation to Council.

- Portable traffic sign relocated to O'Driscoll's Lane

It was suggested to move the sign to a better location on O'Driscoll's Lane as the current location would not be an area where you would have excessive speed.

Committee will review further and provide an update to Council.

- b) Economic Development, Planning and Land use Development Committee
Councillor Doyle advised that the Committee met on November 18th.
Councillor Doyle noted the following from the committee:

Municipal Plan Amendment No. 27, Development Regulations

Amendment No. 39 to allow Childcare use in Light Industrial Use Zone

The public consultation notice has been advertised with a deadline of November 25 for a response. This is the first step in the amendment process. A public hearing will be required after provincial review.

Relocation of dumpsters to Powell Drive location.

Deadlines have now been put in place for the relocation to be completed.

Chamber of Commerce/ building the Baccalieu

Considering hosting sessions with business owners in the local area, possibly by partnering with CBDC. Now, with changing public health guidelines since COVID-19, it is possible to move forward with hosting such sessions. The EDTO will start the planning of an event for the spring.

Councillor Doyle presented the following motion:

Motion 21-392

D. Doyle / P. Snow

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:

- *4 Park Avenue - to construct a wheelchair ramp per Section 10, Discretionary Powers of Council;*
- *46 English Hill to construct a front and side deck per Section 10, Discretionary Powers of Council;*
- *46 Lemarchant Street to replace the fence per Section 10, Discretionary Powers of Council;*
- *10 Kim's Lane to operate a mobile marine repair business conditional upon no objections being received from the Discretionary Use Advertisement.*

Favour 7; Opposed 0; **Carried**

c) Recreation, Special Events, Culture and Tourism

Councillor Seymour advised the committee met on November 16th and noted the following from the committee meeting:

- Several Items are still be worked on.
- Tree Lighting plans are moving ahead, Tree Lighting scheduled for December 2nd.
- Carbonear Minor Islanders Association is requesting a meeting with Council to discuss the national tournament planned for next year. Committee recommends that the initial meeting take place with the Director of Recreation.
- Come Home Year Celebration Grant
EDTO is working on proposal for this. Further consideration will be given to this and staff are working on additional information.
- 75th Anniversary of the Town. 2023 is the 75th anniversary for the Town. EDTO is working on some ideas for these celebrations.

Councillor Seymour presented the following motions:

Motion 21-393

M. Seymour / D. Doyle

Resolved to approve the supply and installation, including all required labour and lock smith work, of two access control kits on the existing doors for the Princess Sheila NaGeira Building, allowing controlled access to the building, at a cost of \$2,757.94 plus HST each.

Favour 7; Opposed 0; **Carried**

Motion 21-394

M. Seymour / S. Slade

*Whereas Newfoundland and Labrador has a rapidly aging population and the Province of Newfoundland and Labrador has committed to work with individuals and families, municipalities, the private and non-profit sectors, and communities to meet the changing needs of an aging population;
Whereas our community believes that all residents deserve to fully and meaningfully participate in and contribute to the social and economic fabric of our community, regardless of age or ability;
Whereas there are numerous social and economic benefits to building an age-friendly community that is inclusive for the seniors of today and tomorrow;*

Be it is resolved that: The Town of Carbonear actively participates,

supports, promotes and works to assess and improve accessibility and inclusion of older persons, persons with disabilities, and for the community as a whole.

Favour 7; Opposed 0; **Carried**

Councillor Seymour advised any questions could be addressed to the committee.

Councillor Doyle inquired about the Age Friendly Program, she would like to see some public consultations done with various age groups within our town to determine what these groups would like to see implemented.

She noted she would like to see more engagement with the public.

Councillor Seymour asked the EDTO to respond.

EDTO advised that in 2010 the Town sent out an ICSP survey to every household, and only 38 responses were received.

EDTO advised we have increased our public engagement significantly with examples being the ATV Initiative survey and the Strategic Plan survey. We have seen a dramatic increase in public response rates to these surveys. We have also done more focus groups and one on one sessions while in the process of the strategic plan review. The information collected in the process is noted and shared with applicable departments. A draft community engagement plan has been created based on the experience from the strategic planning consultations. Councillor Snow suggested using the town newsletter as another method to solicit addition public engagement.

The EDTO advised that the strategic planning process has helped to increase community engagement from a more diverse population.

d) Administration and Finance

Councillor O'Grady advised that the Committee met on November 15th and noted the following from the meeting:

Vaccination Policy

Waiting on final revisions from our lawyer.

Union Contract Negotiations

Negotiations will commence in early December.

Code of Conduct Policy

This item is ongoing until Bill 37 is passed.

Fire Department, Request to reallocate funds

The Fire Department is requesting to reallocate unused budget funds from travel and training to the equipment budget to be used retrofit new pumper apparatus. The committee did not have any issue with this request and recommend it to Council. Council did not have any concerns with the recommendation from the committee.

A/R Report – Collections for 2020 taxes are as follows: Property tax 94%, Water/Sewer Tax 92% and Business Tax 97% collected.

Security of data and backup – Town data is backed up onsite and off site.

Staff are investigating the option to switch the Town Suite software to a cloud based system which will provide additional software options and other enhancements.

8. Reports of Chief Administrative Officer and Department Heads

a) Director of Recreation

The Director of Recreation reviewed the following from his report with Council:

Pool & Rec Maintenance

1. Requesting the purchase of the following items from Sports-Inter Plus:
 - 2 basketball nets for Willoughby Playground at \$1,434.95 each
 - 4 hockey nets at \$179.95 each (2 for Willoughby Playground and 2 for the Recreation Complex)Total order is \$3,589.70 + HST and Shipping.

Motion 21-395

P. Snow / S. Slade

Resolved to purchase playground equipment as listed from Sports-Inter Plus totaling \$3,589.70 + HST and shipping.

Favour 7; Opposed 0; **Carried**

2. Requesting the purchase of a reusable Fitness Activity Circuit Stencil Kit at \$1,233.00 USD (approx. \$1,563 CAD) + HST and Shipping from Fit & Fun Playscapes.

Motion 21-396

P. Snow / S. Slade

Resolved to purchase a reusable Fitness Activity Circuit Stencil Kit at \$1,233.00 USD (approx. \$1,563 CAD) + HST and Shipping from Fit & Fun Playscapes.

Favour 7; Opposed 0; **Carried**

Financial & Program Analysis

	<u>2021</u>	<u>2020</u>
1.) Pool Revenue (less HST)	\$98,749.07	\$47,619.89
2.) Lesson Registration	791	439
3.) Pool Visitation	12,254	5,786

Final swimming lesson set, for calendar year, has just over 200 participants registered.

Programs & Grants

- 1.) Equipment is ordered for our Active Start Program (0-5 yr olds). Some of the equipment has arrived, still waiting on a couple of the larger pieces. We are also in process of getting the materials and equipment for the Hang Out Program (Teens). These programs will begin early in the new year.
- 2.) With winter season approaching, we will be looking at putting our snow shoes to use, for some youth programming and family loaner programs. Also hoping to have the appropriate weather to try our outdoor skating rinks again.
- 3.) Annual Tree Lighting Celebration is scheduled for Thursday, Dec. 2nd. Inviting all residents to join us at the Pergola area of the boardwalk as we brighten up our town with Holiday/Christmas Spirit. And maybe even a special visit from the Big Guy for the children.

Councillor Noel inquired on the status of repaving the basketball court.

Director of Recreation advised that the contractor is recommending to complete the work in the spring when the asphalt plant re-opens. When resurfacing asphalt, it is recommended to complete it when we have higher temperatures. Surface course of asphalt is not recommended in colder temperatures.

Councillor Slade inquired if the glass got picked up on the Southside Playground. Director of Recreation advise it did get picked up. Councillor Slade suggested the staff do regular inspections of the playgrounds. Director of Recreation advised that are playgrounds are currently closed of the winter season. When our playgrounds are open, staff do regular daily inspections of the playgrounds. When the playgrounds are closed for the season, staff will check on any matters that are reported.

9. Finances

- a) Operating Invoices over \$2,000.00 in the amount of..... \$52,806.17

Motion 21-397

C. O'Grady / R. Noel

*Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$52,806.17 as submitted to Council. Favour 7; Opposed 0; **Carried***

- b) Capital Invoices:

Carbonear Pool Liner & Deck Replacement, PN 17-CCR-20-00011

Fougere Menchenton Architecture, Final Invoice # 21-1019 \$5,462.50

Motion 21-398

C. O'Grady / S. Slade

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

Carbonear Pool Liner & Deck Replacement, PN 17-CCR-20-00011

Fougere Menchenton Architecture, Final Invoice # 21-1019 .. \$5,462.50

Favour 7; Opposed 0; **Carried**

10. Regulations for Adoption

No regulations listed.

11. Notices of Motion

- a) Amendment to the Town of Carbonear Animal Control Regulations
The following Notice of Motion was presented to be voted on at the next scheduled Regular Council Meeting

Mover: Councillor Seymour Second: Deputy Mayor Slade

Resolved that the Town of Carbonear Adopt the Animal Control Regulations as amended.

The proposed revised Animal Control Regulations were distributed to Council, and the changes are noted.

Councillor Doyle asked if we post our Regulations. CAO advised that our Regulations are all on the town website for the public to review.

Councillor Doyle noted that it may be nice to share tidbits of information on social media relating to our Regulations.

12. New Business

Motion to add Capital Works Application under New Business
to Capital Works Added Slade/ Noel

Motion 21-399

S. Slade / R. Noel

Resolved that the Town of Carbonear add Item 12.a Capital Works Application to the Regular Council Meeting agenda for November 23, 2021.

Favour 7; Opposed 0; **Carried**

a) Capital Works Application

Council previously had discussion reviewing projects being considered for submission under the cost-shared funding through the Municipal Capital Works Call for applications with the Municipal Infrastructure Division of the Department of Transportation and Infrastructure.

Motions are required for the projects selected for inclusion on the application.

The projects being considered are as follows:

Adelaide Street (East 500m x 6m) - Water/Sewer/Paving/Sidewalk

LeMarchant Street Extension Water/Sewer and pavement

LeMarchant Road, Phase 3

Grassey Lane Water/Sewer/Storm Upgrades

White's Road Water/Sewer/Storm/Road Upgrading

Saunders Avenue Water/Sewer/Storm/Paving

Council members identified any conflict of interest concerns on these projects.

Councillor O'Grady declared a conflict of interest on the Adelaide Street project as his mother owns property in the area.

Councillor Seymour declared a conflict of interest on the Adelaide Street project as his sister-in-law owns property in the area.

Councillor Snow declared a conflict of interest on the Adelaide Street project as his sister owns property in the area.

Councillor Noel declared a conflict of interest on the White's Road project as his sister-in-law owns property in the area.

Adelaide Street project

Councillor O'Grady, Councillor Seymour and Councillor Snow then left the Council meeting.

Motion 21-400

S. Slade / D. Doyle

Be It Resolved to apply for cost-shared funding through the Municipal Capital Works Call for Applications with the Municipal Infrastructure Division of the Department of Transportation and Infrastructure, in the amount of \$1,620,000, for the purpose of Adelaide Street (East 500m x 6m) - Water/Sewer/Paving/Sidewalk Project as priority #1. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$324,000, for this project should it be selected for funding, and acknowledges that project costs above the approved project total cost will be the sole responsibility of the Town of Carbonear.

Favour 4; Opposed 0; **Carried**

Councillor O'Grady, Councillor Seymour and Councillor Snow were called back into the Council meeting.

Grassey Lane project

Motion 21-401

S. Slade / M. Seymour

Be It Resolved to apply for cost-shared funding through the Municipal Capital Works Call for Applications with the Municipal Infrastructure Division of the Department of Transportation and Infrastructure, in the amount of \$360,000, for the purpose of Grassey Lane Water/Sewer/Storm Upgrades Project as priority # 2. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$72,000, for this project should it be selected for funding, and acknowledges that project costs above the approved project total cost will be the sole responsibility of the Town of Carbonear.

Favour 7; Opposed 0; **Carried**

LeMarchant Street Extension project

Motion 21-402

S. Slade / C. O'Grady

Be It Resolved to apply for cost-shared funding through the Municipal Capital Works Call for Applications with the Municipal Infrastructure Division of the Department of Transportation and Infrastructure, in the amount of \$1,136,530, for the purpose of LeMarchant Street Extension Water/Sewer and Pavement Project as priority # 3. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$227,306, for this project should it be selected for funding, and acknowledges that project costs above the approved project total cost will be the sole responsibility of the Town of Carbonear.

Favour 7; Opposed 0; **Carried**

White's Road project

Councillor Noel left the meeting as he is in conflict on this project as his sister-in-law owns property in the area.

Motion 21-403

S. Slade / P. Snow

Be It Resolved to apply for cost-shared funding through the Municipal Capital Works Call for Applications with the Municipal Infrastructure Division of the Department of Transportation and Infrastructure, in the amount of \$870,000, for the purpose of White's Road Water/Sewer/Storm/Road Upgrading Project as priority # 4. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$174,000, for this project should it be selected for funding, and acknowledges that project costs above the approved project total cost will be the sole responsibility of the Town of Carbonear.

Favour 6; Opposed 0; **Carried**

Councillor Noel was called back into the meeting.

Saunders Avenue project

Motion 21-404

S. Slade / C. O'Grady

Be It Resolved to apply for cost-shared funding through the Municipal Capital Works Call for Applications with the Municipal Infrastructure

Division of the Department of Transportation and Infrastructure, in the amount of \$309,923, for the purpose of Saunders Avenue Water/Sewer/Storm/Paving Project as priority # 5. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$61,985, for this project should it be selected for funding, and acknowledges that project costs above the approved project total cost will be the sole responsibility of the Town of Carbonear.

Favour 7; Opposed 0; **Carried**

b) Other

Mayor Butt noted he attended Lanes Retirement home to attend the 101st birthday celebrations for Mrs. Hazel Yetman.

He also visited Mrs. Pauline Bishop on the occasion of her 80th birthday.

Mayor Butt noted that the Fire Department are often called to emergency events. In addition to emergency events, the Fire Department members also complete training. This weekend there are 10 members upgrading their First Aid training.

Deputy Mayor Slade noted he attended many birthday celebrations for Ms. Yetman over the years. On behalf of Council, he wished Mrs. Yetman and Mrs. Bishop a happy birthday.

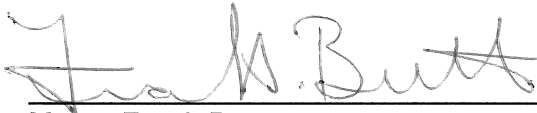
Mayor Butt noted that the Town has a policy regarding the recognition of birthdays, starting at age 65, and anniversaries starting at the 25th.

13. Adjournment

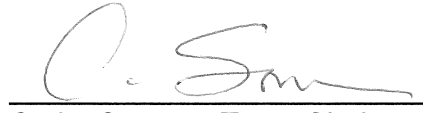
Motion 21-405

S. Slade / P. Snow

Resolved that the meeting adjourn at 6:34pm and that Council meet again for a Regular Council Meeting on Tuesday, December 14, 2021 at 5:30pm.



Mayor Frank Butt



Cathy Somers, Town Clerk