

**Town of Carbonear
Regular Council Meeting May 10, 2022**

Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, May 10, 2022 at 5:30pm

Members Present: Mayor Frank Butt
Deputy Mayor Sam Slade
Councillor Danielle Doyle
Chris O'Grady
Malcolm Seymour
Peter Snow

Members Absent: Councillor Ray Noel

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

Absent: Chief Administrative Officer Cynthia Davis (on vacation)

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1. Calling of Meeting to Order
Mayor Butt welcomed everyone to the meeting and called the meeting to order at 5:33pm. The meeting is being broadcasted through Youtube.
 2. Approval of the Agenda for May 10, 2022 Regular Meeting
Motion 22-138 C. O'Grady / M. Seymour
Resolved to adopt the agenda of the May 10, 2022 Regular Meeting of Council as presented to Council.
Favour 6; Opposed 0; **Carried**
 3. Adoption of the minutes
 - a) Regular Meeting – April 26, 2022
Motion 22-139 S. Slade / P. Snow
Resolved to adopt the minutes of the April 26, 2022 Regular Meeting of Council as presented and amended to include Councillor Seymour voted against Motion 22-117.
Favour 6; Opposed 0; **Carried**
 4. Business Arising from Minutes
No business arising.

5. Proclamations / Presentations / Delegations

a) Nature Canada

RE: World Ocean Day June 8

Proclamation to be signed

*A RESOLUTION IN SUPPORT OF THE TOWN OF CARBONEAR
RECOGNIZING AND CELEBRATING WORLD OCEANS DAY 2022 AND
THE ADVANCEMENT OF OCEAN CONSERVATION IN
CANADA*

Motion 22-140

S. Slade / P. Snow

WHEREAS, Wednesday, June 8, 2022, is the 30th annual World Ocean's Day.

World Oceans Day is the United Nations day for celebrating the role of the ocean in everyday life and inspiring action to protect it.

WHEREAS, Countries around the world, including Canada as a prominent leader, have committed to protecting 30% of their ocean territory by 2030 in order to reverse nature loss in the ocean and safeguard at-risk marine life.

WHEREAS, The ocean is home to hundreds of species at risk, vulnerable ecosystems, and is a crucial carbon sink shielding us from the worst of climate change.

WHEREAS, The ocean produces over half of the world's oxygen and absorbs 50 times more carbon dioxide than our atmosphere. Therefore protecting the ocean is in the interest of all life on Earth, and communities both coastal and inland, as it is essential to our shared future.

WHEREAS, It is the jurisdiction of the Government of Canada, under various pieces of legislation and regulation, to establish marine protected areas in consultation with Indigenous Peoples. Many Indigenous nations and communities are leading in the conservation of the ocean, and have been stewards of the ocean since time immemorial.

WHEREAS, It is important for municipal leaders to demonstrate support for actions to safeguard the ocean, as they have for action on climate change and other environmental matters of national importance.

WHEREAS, In celebrating the ocean, and protecting its habitats and ecosystems, we can together raise the profile of ocean conservation's critical role in improving planetary health and slowing the crisis of species collapse and ecosystem decline.

Therefore be it resolved that the Town of Carbonear recognizes the 30th anniversary of World Oceans Day on June 8th, 2022 and supports national and international efforts to protect 30% of the ocean by 2030.

Favour 6; Opposed 0; **Carried**

b) The Town of Carbonear to acknowledge May 17 as , DIPG (Diffuse Intrinsic Pontine Glioma) Awareness Day in the Town of Carbonear to bring

awareness by promoting and wearing Grey & Gold on May 17.

Motion 22-141

C. O'Grady / D. Doyle

WHEREAS, Diffuse Intrinsic Pontine Glioma (DIPG) is a type of tumor that starts in the brain stem and controls breathing, nerves, and muscles, which can cause problems with everyday functions; and

WHEREAS, brain tumors are one of the leading causes of cancer-related deaths in children; and

WHEREAS, DIPG is the most common malignant brain tumor found in children, with over 75 percent of brainstem tumors being DIPG; and

WHEREAS, most people are unaware that DIPG is the leading cause of brain tumour deaths in children, often not finding out about this disease until they know someone whom it affects; and

WHEREAS, DIPG currently remains incurable, despite decades of clinical trials; and

WHEREAS, through the work of the DIPG Registry, new data is being used to influence research toward improving treatments and outcomes; and

WHEREAS, on this day, we should provide support to those who have DIPG and their families and caregivers, raise awareness of this disease, and promote further research and treatment;

NOW, THEREFORE, the Town of Carbonear, do hereby proclaim May 17, 2022, as Diffuse Intrinsic Pontine Glioma (DIPG) Awareness Day.

Favour 6; Opposed 0; **Carried**

6. Permits and Correspondence

6.1 Permit Listing # 9807, 9820-9848

Councillor Doyle asked Council to review the list of permits for possible conflicts.

Motion 22-142

D. Doyle / P. Snow

Resolved to approve permits # 9807, 9820-9848 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 6; Opposed 0; **Carried**

6.2 Correspondence, requiring Council's decision
None listed.

6.3 Correspondence received and action taken

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

a) Government NL

- Department of Municipal and Provincial Affairs

- RE: Support for Regionalization
 - Copied to the Chief Administrative Officer and the Town Clerk
 - RE: Community Sustainability Partnership Accountability Measures and Exemptions
 - Forwarded to the Chief Administrative Officer and the Town Clerk
- Department of Industry, Energy and Technology
 - RE: Development inquiry
 - Forwarded to Development committee
- Department of Environment and Climate Change
 - RE: Spring / Summer 2022 Operator Education Seminars
 - Forwarded to the Director of Operations and Public Works and the Chief Administrative Officer
- Department of Transportation and Infrastructure
 - RE: Cost Adjustments risks for budgets
 - Copied to the Chief Administrative Officer and the Town Clerk
- Department of Tourism, Culture, Arts and Recreation
 - RE: Funding application under the Come Home Year Cultural Funding program was not approved.
 - Copied to the Chief Administrative Officer and the Economic Development and Tourism Officer
- b) Property owner, Bunker Hill
 - RE: Garbage collection
 - Forwarded to the Public Works, Waste Management & Community Services committee
- c) Property owner, Mahaney's Lane
 - RE: Issue with sediment in drinking water
 - Forwarded to the Public Works, Waste Management & Community Services committee
- d) Property owner Southside Lower Road
 - RE: Inquiry regarding development Southside Lower Road
 - Forwarded to Development committee
- e) Individual inquiry on taking wedding photos at the Rorke store
 - Forwarded to the Recreation, Special Events, Culture and Tourism committee
- f) Royal Canadian Legion
 - RE: Request for meeting to discuss upgrades to Water Street
 - Forwarded to the Development committee
- g) Newfoundland and Labrador Irish Connection
 - RE: Expression of interest to help organize community concern.
 - Forwarded to the Recreation, Special Events, Culture and Tourism committee
- h) Property owner, Blueberry Crescent
 - RE: Safety concern near the access to the playground
 - Forwarded to Recreation, Special Events, Culture and Tourism committee

- i) NL Public Health Laboratory, Test results of water samples collected on January 12, 2022 at North Atlantic, Shell, Esso, Red Circle. Results marked satisfactory. Placed on file.
- j) Participation Canada
RE: Grant for Community Better Challenge has been approved in the amount of \$500.
Copied to the Chief Administrative Officer, Director of Recreation. To be advertised on social media.

7. Committee Reports

- a) Public Works, Waste Management and Community Services
Deputy Mayor Slade advised that the committee met on May 2nd. Council can peruse the minutes and address any questions to him or the CAO or the Director of Operations and Public Works.
Deputy Mayor Slade noted there are several motions being presented from the Committee meeting.
Mayor Butt declared conflict of interest on the motion regarding Valley Road Phase 4 as he has a brother who owns property in the area.
Deputy Mayor Slade presented the following motions:
Motion 22-143 S. Slade / M. Seymour
Whereas Water Street Phase 3 (17-GI-22-00012) has been approved under the Investing in Canada infrastructure program, and
Whereas the Town of Carbonear will require the services of a Prime Consultant, and
Whereas calling for Proposals will help ensure best value,
Be it resolved to make an open call for Proposals for Prime Consultant Services for Water Street Phase 3.
Favour 6; Opposed 0; **Carried**
Motion 22-144 S. Slade / C. O'Grady
Whereas the Town of Carbonear called for Proposals for the service of a Prime Consultant for Powell Drive Street Upgrading Phase 2, and
Whereas the Town has evaluated the proposals received and Harbourside Transportation Consultants achieved the highest score priced at \$99,992.50,
Be it resolved to award a contract to Harbourside Transportation Consultants in the amount of \$99,992.50 HST included for the Prime Consultant for Powell Drive Street Upgrading Phase 2.
Favour 6; Opposed 0; **Carried**
Motion 22-145 S. Slade / P. Snow
Whereas the wheelchair lift to the stage in the Princess Sheila NaGeira Theatre is currently out of order, and
Whereas a knowledgeable service technician has advised the Town that parts aren't available and therefore needs to be replaced,

Be it resolved to call for tenders for a new wheelchair lift to the stage in the Princess Sheila NaGeira Theatre.

Favour 6; Opposed 0; **Carried**

Councillor Doyle inquired if there is room for a ramp versus a lift. The Director of Operations and Public Works advised that this may not be possible, due to the limited space, however he can investigate that possibility. Director of Operations and Public Works to investigate the possibility of installing a ramp versus a lift and report back to council on the matter before issuing a tender for a new wheelchair lift.

Motion 22-146 S. Slade / C. O'Grady

Resolved to send order to the following property:

- *to remove the shed on at property at 117 Water Street.*

Favour 6; Opposed 0; **Carried**

Mayor Butt then left the meeting for the Motion relating to Valley Road Phase 4 and Deputy Mayor Slade assumed the position of Chair.

Councillor Doyle presented the following motion:

Motion 22-147 D. Doyle / P. Snow

Whereas Valley Road Phase 4 (17-GI-22-00013) has been approved under the Investing in Canada infrastructure program, and

Whereas the Town of Carbonear will require the services of a Prime Consultant, and

Whereas calling for Proposals will help ensure best value,

Be it resolved to make an open call for Proposals for Prime Consultant Services for Valley Road Phase 4.

Favour 5; Opposed 0; Carried

Councillor Doyle noted that for Valley Road Phase 3, we had to add additional width to the street, she asked if this will be reviewed and considered with Phase 4. The Director of Operations and Public Works advised he will keep that in mind for this project and he also noted that we are striving to do public consultation before construction.

Mayor Butt was called back into the meeting and assumed the position of Chair.

b) Administration and Finance

Councillor O'Grady advised that the committee met on April 28th and noted the following from the meeting:

- EDTO reviewed feedback from the Strategic Plan pertaining the administration and finance committee.
- 12 Hayden Heights – waiting on review of the response from realtors.

- SPCA – payment has been issued to the SPCA as budgeted.
- Fire Protection Line Road – Deferred for further review by committee after the response deadline.
- Motions to be rescinded for the previous motions for the purchase of a plow truck pick up package and flat bed as the price has been amended.

Motion 22-148

C. O’Grady / P. Snow

Resolved to rescind previous motions for the purchase a plow truck pick up package and flat bed:

- *Motion 21-343 for \$44,280 + HST and*
- *Motion 22-093 for \$52,780 + HST.*

Favour 6; Opposed; **Carried**

Councillor Doyle asked when this vehicle will be delivered. The Director of Operations and Public Works advised the truck was ordered some time ago. He will check on the delivery time.

- Request for list of Council committees to be placed on Town’s website. This has been completed.
- Museum Manager. This pay rate for this position has not been updated for a while. The committee recommends to increase the pay rate to \$20 an hour for the Museum Manager position. Council agreed with the recommendation.
- Policies and procedure training for Council. Email has been sent suggesting May 16th if all council members are available.

c) **Economic Development, Planning and Land Use Planning**

Councillor Doyle advised that the committee met on May 5th and noted the following from the meeting:

- Councillor Doyle reminded property owners to ensure they make application to the Town for any development on their property before proceeding with any work.
- There are several development applications that are still pending waiting on further information from the developers.
- Committee reviewed with the EDTO the feedback received from the Strategic Plan process relating to Economic Development, Planning and Land Use Development. The committee members have since sent their suggestions to the EDTO for consideration.

The following motions are recommended:

Motion 22-149

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:

- *to construct an accessory building at 171 – 17A5 Water Street, conditional upon requirements of the Heritage zone;*

- *To construct a garage at 56 Irishtown Road conditional upon no objections or representations being received from the discretionary use advertisement; and further conditional upon the application being referred back to committee and council for further review if objections are received in response to the discretionary notice;*
- *To complete an extension to an existing cabin at 31 Line Road upon receipt of applicable approvals from the Department of Environment and Climate Change (Water Resources Division) and other applicable government departments and agencies;*
- *To construct a garage at 10 Garland's Lane conditional upon no objections or representations being received from the discretionary use advertisement; and further conditional upon the application being referred back to committee and council for further review if objections are received in response to the discretionary notice;*
- *To construct a greenhouse at 66 Water Street conditional upon no objections or representations being received from the discretionary use advertisement; and further conditional upon the application being referred back to committee and council for further review if objections are received in response to the discretionary notice;*
- *to operate a home based business (appliance repair) at 57 The Gap Road conditional upon no objections being received from the Discretionary Use Advertisement and approvals from other applicable government departments and agencies.*
- *To construct a greenhouse at 23 Crossroads conditional upon no objections or representations being received from the discretionary use advertisement; and further conditional upon the application being referred back to committee and council for further review if objections are received in response to the discretionary notice on the application.*

Favour 6; Opposed; **Carried**

Mayor Butt asked if the motion regarding highway signage is relating to the Water Street Phase I project.

The EDTO confirmed that this is part of the Water Street Phase I project.

Mayor Butt declared a conflict of interest on the Water Street Phase I project as he owns property in the area of Water Street Phase I project.

Mayor Butt then left the meeting and Deputy Mayor Slade assumed the position of Chair.

Motion 22-150

D. Doyle / P. Snow

To contract GCL Signworks to install the highway signage at a cost of \$33,287 plus HST.

Favour 5; Opposed; **Carried**

Mayor Butt was called back into the meeting and assumed the position of Chair.

Councillor Doyle noted that permits have increased from the last meeting to this meeting. It is great to see increased development. She reminded property owners to check with the office and obtain a permit before proceeding with any development on their property.

Councillor Seymour asked about the proposed development on Goff Avenue. Councillor Doyle advised the development has to meet the development standards for that zone. The town is working with the developer to consider options. A meeting to be scheduled with the developer to discuss further.

- d) Recreation, Special Events, Culture and Tourism
- Councillor Seymour advised that the committee met on May 2nd and noted the following from the meeting:
- Pedestrian bridge – item deferred
 - Trail repair – some repair work has been done by the Public Works Department on Nell's Trail. More work to be completed by the Recreation Department staff.
 - Special Events are proceeding with Canada Day event planning.
 - Recreation staff currently getting playground equipment installed.
 - Come Home Year events – Town looking at partnering with the NL Irish Connection to host a concert in Carbonear. Town also working on other events as part of Come Home Year celebrations.
 - Committee reviewed quotes for sports and field equipment.
 - It is understood that the National Ball Tournament maybe pulled from Carbonear this year. The Director of Recreation will report further on this matter.
 - Councillor Seymour noted that he and the EDTO met with some members of the NL Irish Connection group. It was a good meeting and he thanked them for the opportunity to meet with them.

Motion 22-151

M. Seymour / P. Snow

Resolved to proceed to re-tender the RFP for a Recreation Master Plan.

Favour 6; Opposed; **Carried**

Motion 22-152

M. Seymour / P. Snow

Resolved to purchase sports / field equipment from Sports-Inter Plus at a cost of \$7,267.54 plus HST.

Favour 6; Opposed; **Carried**

Inquiry on what equipment is included in this price
Director of Recreation advised it includes new bases, hand tools for ball fields, fencing, etc.

Councillor Doyle asked when the Town plans on finishing the gravel area of the pergola park.

Recreation Director advised that the hydro seeding was approved late summer early fall of 2021. It is on the list of items to be completed this season.

Councillor O'Grady inquired about the correspondence relating to the foot path where ATVs are travelling. Committee is recommending that signage be placed at each end of the foot path. Councillor O'Grady noted that he's not sure this will be sufficient.

Councillor Doyle noted that she has seen ATVs on Nell's Trail as well. Not sure how they get on to the trails. We have approved routes for ATVs, and they should not be on our walking trails.

Councillor Seymour noted that some enter the walking trails by mistake and that we need to get our ATV route signage re-installed for the season. Works Department to have signage installed.

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.) Seasonal staff returned last week. All playground equipment has been installed and playgrounds officially Re-opened.
- 2.) Some preliminary maintenance has started with ball fields. Early indications of new grooming equipment seem promising.
- 3.) Visited the Willoughby Playground to investigate the installation of new equipment. This work will begin later this week, early next week. Area will be groomed and tidied as well.
- 4.) Reviewed pricing from Urban Forester \$14,400 + HST for annual spring cleanup and planting. \$1080+HST for weekly maintenance from mid June to September 5. A motion to award is required.

Motion 22-153

M. Seymour / D. Doyle

Resolved to contract Urban Forester to prepare the planting areas including providing plants and other materials in accordance with the quote provided in the amount of \$14,400 plus HST; and

Be it Further Resolved to contract Urban Forester to provide weekly maintenance in accordance with the quote for 12 weeks in the amount not to exceed \$1,080 plus HST per week.

Favour 6; Opposed; **Carried**

Director of Recreation advised this would include reinstating the flower bed at the traffic lights area, re-establishing the flowers at the pergola area and increase the flowers in the downtown area including the War Memorial Reinstated traffic lights area along with all the other locations throughout town.

Financial & Program Analysis

Pool Revenue is nearly doubled from this time last year.

Lesson registration and pool visitation have increased and is near to pre-pandemic numbers.

Programs & Grants

- 1.) Submitted application for funding under the ActiveNL initiative to aid in the construction of a Bridge to connect our trail system with the recreation complex. (\$15,000) Received \$7500.
- 2.) Working on some activities for June to promote the Community Better Challenge.
Calendar near completion. Received \$500 grant to assist with program. Hoping to do even better this year, will be doing a 30 day calendar. Encourage everyone to download the apps and get moving. June 1 to June 30.
Calendar will provide an activity to get involved with each day. Placed post last week, will also post tutorial within the next couple of weeks.
- 3.) Registration for a Ball Hockey Program and Basketball Program is currently open. Programs to begin in June.
- 4.) Athlete of Year applications have been received. Summer Games Scholarship application process closes Friday, May 13th.
Hoping to get reps from the Recreation Commission together to decide on the awards.
Special Events Committee met last night. This year's concert will be on August 20th, with Masterless Men, Bic and the Ballpoints and the Alderman for entertainment.

Deputy Mayor Slade inquired about washouts on Nell's Trail. Director of Recreation advised some work has been done by the Public Works staff. It is currently in good shape, further grooming to place Class A will be completed by the Recreation Staff.

Councillor O'Grady suggested Council consider placing more stone to raise the level of the trail in some areas to prevent washouts.

Deputy Mayor Slade also thanked residents for clean up of the trail area.

Councillor Doyle inquired about the Davis Earle Trail. Can we do some work to help with drainage.

EDTO advised applied for funding from the 25th Hibernia Anniversary program.

Councillor O'Grady asked how the new equipment is working out.

Director of Recreation noted they were really impressed with the new grooming equipment. Staff will also be trying out the edging equipment next week.

Councillor Snow asked if the tennis courts are scheduled to be resurfaced this year. Director of Recreation advised this surface is in good condition and not scheduled to be resurfaced this year. However, the basketball courts will be redone this year.

Council inquired about the reason that the National Ball Tournament maybe pulled from Carbonear this year. Director of Recreation advised that it got pulled from the province. Accommodations and transportation was an issue.

9. Finances

- a) Operating Invoices over \$2,000.00 in the amount of.....\$211,875.88
Mayor Butt asked if he would be in conflict of interest on the Invoice being recommended for payment for some Fire Department equipment.
Discussed.

Town Clerk read the sections of the Act referring to Conflict of Interest.

It was agreed to defer a decision on the Mayor's request and to remove that item from the list of invoices being recommended for payment.

Motion 22-154

C. O'Grady / P. Snow

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$211,875.88 excluding item 1308 in the amount of \$122,232.35 as submitted to Council.

Favour 6; Opposed 0; **Carried**

- b) Capital Invoices

Water Street, Water, Sewer, Street Upgrading, Phase 2, PN 20-101, MA
17-GI-21-00075

Harris & Associates, Invoice # 6914.....\$8,625.00

Adelaide Street, Water, Sewer & Storm upgrades, PN 21-134, MA
17-MYCW-22-00030

Harris & Associates, Invoice # 6915.....\$6,785.00

Town Clerk reminded Council to review the projects listed for any possible conflict of interest.

Council inquired about the area for the Adelaide Street, Water, Sewer & Storm upgrades project.

Director of Operations and Public Works advised this project is from Grassey Lane to Crossroads.

Councillor Snow declared a conflict of interest on this project as he has a sister who owns property in that area.

Motion 22-155 C. O'Grady / S. Slade

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

Water Street, Water, Sewer, Street Upgrading, Phase 2, PN 20-101, MA
17-GI-21-00075

Harris & Associates, Invoice # 6914.....\$8,625.00

Favour 6; Opposed 0; **Carried**

Councillor Snow then left the meeting.

Motion 22-156 C. O'Grady / S. Slade

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

Adelaide Street, Water, Sewer & Storm upgrades, PN 21-134, MA
17-MYCW-22-00030

Harris & Associates, Invoice # 6915.....\$6,785.00

Favour 5; Opposed 0; **Carried**

Councillor Snow was called back into the meeting.

10. Regulations for Adoption
None listed.
11. Notices of Motion
No notices of motions were presented.
12. New Business
None listed.

Mayor Butt advised he attend the MNL meetings last week. It was very well attended and there was lots of discussion on various topics.

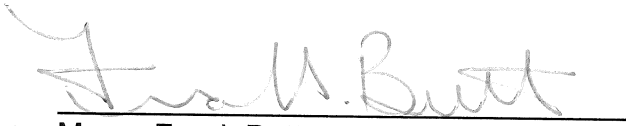
13. Adjournment

Motion 22-157

S. Slade / C. O'Grady

Resolved that the meeting adjourn at 7:06pm and that Council meet again for a Regular Council Meeting on Tuesday, May 24, 2022 at 5:30pm.

Favour 6; Opposed 0; **Carried**



Mayor Frank Butt

Cathy Somers, Town Clerk