

Town of Carbonear
Regular Council Meeting May 24, 2022
Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, May 24, 2022 at 5:30pm

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

Also Present: Chief Administrative Officer Cynthia Davis
Town Clerk / Director of Financial Operations Cathy Somers
Director of Operations & Public Works Ian Farrell
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 5:30pm. The meeting is being broadcasted through Youtube.
Mayor Butt asked the members present to address the Chair when they would like to speak and to remind those present not to use their cellular devices during the meeting.
2. Approval of the Agenda for May 24, 2022 Regular Meeting
Motion 22-158 R. Noel / C. O'Grady
Resolved to adopt the agenda of the May 24, 2022 Regular Meeting of Council as presented to Council.
Favour 7; Opposed 0; **Carried**
3. Adoption of the minutes
 - a) Regular Meeting – May 10, 2022
Motion 22-159 S. Slade / M Seymour
Resolved to adopt the minutes of the May 10, 2022 Regular Meeting of Council as presented.
Favour 7; Opposed 0; **Carried**
4. Business Arising from Minutes
No business arising.

5. Proclamations / Presentations / Delegations

a) Operation Smile

Proclaim June 19 as the Longest Day of Smiles in the Town of Carbonear.

Mayor Butt read the proclamation.

Motion 22-160

S. Slade / P. Snow

WHEREAS: *Operation Smile Canada is a global medical charity providing free, life-changing surgeries and medical care to children born with cleft conditions around the world; and*

WHEREAS: *Every 3 minutes, a child is born with a cleft condition, and lack of access to safe, effective surgery means that easily treatable conditions like cleft lip and cleft palate can become fatal; and*

WHEREAS: *Operation Smile Canada believes every child born with a cleft condition deserves exceptional surgical care; and*

WHEREAS: *The Longest Day of SMILES® will unite Canadians from coast to coast to coast as they raise awareness and funds; and*

WHEREAS: *On June 19th, 2022, the citizens in Carbonear are encouraged to learn more about how to support this worthy cause by visiting www.longestdayofsmiles.ca; and*

WHEREAS: *Our community can help celebrate the Longest Day of SMILES® by posting #longestdayofsmiles on social media; and*

THEREFORE: *The Town of Carbonear do hereby proclaim June 19th, 2022 as "Longest Day of SMILES®" in Carbonear and commend its thoughtful observance to all citizens of our municipality.*

Favour 7; Opposed 0; **Carried**

6. Permits and Correspondence

6.1 Permit Listing # 9834, 9849-9857, 9859-9861, 9863-9873 (9858-void), 9862 deferred to later.

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

Motion 22-161

D. Doyle / P. Snow

Resolved to approve permits # 9834, 9849-9857, 9859-9861 and 9863-9873 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

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

- Digital Government and Service NL
RE: Off-site promotional highway signage
Forwarded to the Chief Administrative Officer and the Economic Development and Tourism Officer
- Department of Transportation and Infrastructure
RE: Changes at Tendering and contracts Division
Forwarded to the Chief Administrative Officer, Town Clerk and the Director of Operations and Public Works
- RE: Ice Control Materials 2022-2023
Forwarded to the Director of Operations and Public Works

b) Municipal Assessment Agency

Re: 2023 Assessment Roll received. The average provincial residential value has increased by 4.99%. Ratepayers will be mailed their assessment notices on June 1, 2022 and will have until July 31, 2022 to file a formal appeal. Forwarded to the Administration and Finance committee.

c) Property owner, Water Street

RE: Water line leak
Forwarded to Public Works, Waste Management and Community Services committee

d) Business owner, Goff Avenue

RE: Inquiry on business tax
Forwarded to Administration and Finance committee

e) Crohn's & Colitis Canada

RE: Request for donation.
Forwarded to Administration and Finance committee

f) Trinity Conception Placentia Health Foundation

RE: 2nd Annual TCP Trails Challenge
Forwarded to Recreation, Special Events, Tourism and Culture committee
*Councillor Doyle noted that the Trinity Conception Health Foundation is starting their 2nd Trails Challenge, raising funds for equipment in the region. The cost is \$40 registration per person. Councillor Doyle urged council members and residents to participate. The Boardwalk and Nell's Trail are included in the list of trails for the challenge. There are some shorter trails and some more challenging trails.
Please support the TCP Health Foundation in this effort.*

- g) NL Public Health Laboratory, Test results of water samples collected on March 30 and April 13, 2022 at North Atlantic, Shell, Esso, Red Circle. Results marked satisfactory. Placed on file.
- h) Municipalities NL
RE: MNL & CNA partnership – Teen Tech Team / Technology Career Pathway's Service-Learning program
Forwarded to Administration and Finance committee
- i) Resident complaint of litter in ditches along Powell Drive, Columbus Drive and Carbonear Collegiate
Forwarded to Public Works, Waste Management & Community Services committee
- j) Property owner, Valley Road
RE: Water connection fee
Forwarded to Administration and Finance committee
- k) NL Credit Union
RE: Request for donation - Walk A Thon in aid of the Heart and Stroke Foundation
Forwarded to Administration and Finance committee
- l) Children's Walk – Make a Wish – Run the Rock
RE: Request for donation
Forwarded to Administration and Finance committee
- m) Early Learning and Child Development Division of the Dept. of Education.
RE: Follow up
Forwarded to Administration and Finance committee
- n) Property owner, Sutton's Hill
RE: Request for calcium, LeMarchant Street Extension
Entered in the work order system. Copied to the Director of Operations and Public Works.
- o) Property owner, Hamilton Avenue
RE: application for street light
Forwarded to the Public Works, Waste Management and Community Services committee
- p) Communities Against Violence
RE: Flag Raising, June 23, exact time to be determined.
Forwarded to Council. 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 11th.
Council can peruse the minutes and address any questions they have.
Deputy Mayor Slade noted there are several motions being presented from

the Committee meeting.

Motion 22-162

S. Slade / C. O'Grady

Whereas the house with civic address #47 Water Street is the property of the Town, and

Whereas the house is in poor state of repair,

Be it resolved to call for tenders for the removal and disposal of the structure and other materials on the property.

Favour 7; Opposed 0; **Carried**

Motion 22-163

S. Slade / P. Snow

Whereas an electrical consultant is required for engineering services for Water Street Phase 2 (17-GI-21-00075), and

Whereas it has been determined that these services will be managed and coordinated by the prime consultant Harris & Associates,

Be it resolved to approve a change order in the amount of \$20,700 including HST for electrical consultant services.

Favour 7; Opposed 0; **Carried**

Motion 22-164

S. Slade / R. Noel

Whereas an engineering consultant is required for engineering services for the 2022 Street Paving Program, and

Whereas advertising a request for proposals is the best approach to ensure best value,

Be it resolved to request proposals from engineering consultants to provide engineering services for the 2022 Street Paving Program.

Favour 7; Opposed 0; **Carried**

Councillor Noel inquired about the asphalt paving list for this year, and requested that Council be given an opportunity to review the areas listed for consideration.

Director of Operations and Public Works advised he is hoping to have it ready for review for the next Public Works Committee meeting.

Deputy Mayor Slade advised that after the committee reviews the listing, the list will then be reviewed with Council for their review and discussion.

b) Administration and Finance

Councillor O'Grady advised that the committee met on May 12th and noted the following from the meeting:

- 12 Hayden Heights – Should have motion after next meeting to list the property for sale through a realtor. Only one proposal was received.
- HR Policy – Some changes are being made and should be recommended for adoption at next meeting.
- AR Report 2022 tax – Property Tax 80%, Water/Sewer Tax 78% and Business Tax 85% collected.

- Request from resident, Issue with \$25 invoice to turn water back on when returning to his residence after being gone for the winter months. This fee is included on the Town's tax structure. There are a number of residents who request to have the water turned off to their property while they are away from their property for an extended period of time. The \$25 fee is charged when the property owner requests to have the water turned back on. This fee is not charged for those who require the turn off/on to repair a water leak.

Discussed.

A refund of the \$25 fee is not recommended. This item will be reviewed further for possible changes in determining the 2023 Schedule of Municipal Tax Rate and Fees during the 2023 budget preparations.

- The position of Museum Manager should be filled in the near future.
- Inquiry from new business owner requesting a review of the rates for the category of register massage therapists. The initial email was responded to and it was suggested that she check with the Municipal Assessment Agency to inquire about the assessed value for the tenant portion of the building that she occupies for her business to determine if the correct area was being assessed.

Discussed.

The business tax mill rates will be reviewed again during the 2023 budget preparations.

c) Economic Development, Planning and Land Use Planning
Councillor Doyle advised that the committee met on May 19th and noted the following from the meeting:

- RFP for the Municipal Plan Review is being prepared and will be posted on MERX when completed.
- Some Development Applications are awaiting on the deadline of the Discretionary Use Ads on the application.
- Committee has no issue with a request to renew a permit for a second time due to a delay in commencing the work due to problems with the supply of materials during COVID.
- Potential developments for apartment building and row housing. Deferred for additional information.
- Business luncheon scheduled for June 10.
- Reminder for property owners to apply for permits, patios, sheds, etc. If the original location does not comply, sometimes staff can help to determine a suitable location that complies.

➤ Development Applications

Motion 22-165

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 replace patio and repair fence at 32A Valley Road per Section 10, Discretionary Powers of Council;*
- *To replace front step at 17 Connolly's Hill per Section 10, Discretionary Powers of Council;*
- *To renovate existing cabin, replace deck, complete landscaping, replace septic system and place portable shelter and greenhouse at 5288778.63 metres North, 324968.71 metres East Line Road upon receipt of applicable approvals from the Department of Environment and Climate Change (Water Resources Division), Digital Government and Service NL;*
- *To construct a shed at lot D15 Line Road upon receipt of applicable approvals from the Department of Environment and Climate Change (Water Resources Division);*
- *To operate a quarry as per the application received for property off Highroad South; and conditional upon approval from the Department of Industry, Energy and Technology.*
- *To complete interior and exterior renovations to the building at 19 Highroad South conditional upon approval from the Department of Digital Government and Service NL;*
- *To construct a greenhouse at 15 Valley Road conditional upon no objections or representations being received from the discretionary use advertisement; and further conditional upon receipt of deed of conveyance for additional property;*
- *To replace front step at 23 Pondside Road per Section 10, Discretionary Powers of Council;*
- *To construct a garage at 66A Forest Road conditional upon no objections or representations being received from the discretionary use advertisement; and further conditional upon the conditional upon receipt of deed of conveyance for additional property;*
- *To place a greenhouse at 9 Joe Taylor's Lane per Section 10, Discretionary Powers of Council;*
- *To construct a wheelchair ramp at 21 Bennett's Hill per Section 10, Discretionary Powers of Council*

Favour 7; Opposed 0; Carried

Motion 22-166**D. Doyle / P. Snow**

Resolved to refuse the application to construct a detached two bay garage at 9 Sutton's Hill as the development does not comply with the Town of Carbonear Development Regulations.

Favour 7; Opposed 0; **Carried**

Recreation, Special Events, Culture and Tourism

Councillor Seymour noted that the Committee did not meet last week as the Director of Recreation and Councillor Noel were attending the Recreation Conference.

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

9. **Finances**

- a) **Operating Invoices** over \$2,000.00 in the amount of..... \$46,675.37
Operating Invoices US\$.....\$8,546.49

Motion 22-167**C. O'Grady / P. Snow**

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$46,675.37 Canadian Dollars and operating invoice over \$2,000 totaling \$8,546.49 U.S. Dollars as submitted to Council.

Favour 7; Opposed 0; **Carried**

- b) **Capital Invoices**

Water, Sewer, Street Upgrading, Valley Road, Phase 3

PN 21-102, MA 17-GI-21-00041

Harris & Associates, Invoice # 6924.....\$3,880.68

Water, Sewer & Street Upgrading Water Street, Phase 2

PN 20-101, MA 17-GI-21-00075

Harris & Associates, Invoice # 6926.....\$4,421.00

Conception Bay Regional Community Centre Extension

Fougere Menchenton Architecture, invoice # FMA 22-0325.....\$5,548.75

Councillor Noel declared a conflict of interest on the Water, Sewer, Street Upgrading, Valley Road, Phase 3, Project as he has a sister and parents who own property in that area.

Councillor Noel then left the meeting.

Motion 22-168**C. O'Grady / P. Snow**

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

Water, Sewer, Street Upgrading, Valley Road, Phase 3

PN 21-102, MA 17-GI-21-00041

Harris & Associates, Invoice # 6924.....\$3,880.68
Favour 6; Opposed 0; **Carried**
Councillor Noel was called back into the meeting.

Motion 22-169 **C. O'Grady / R. Noel**
Resolved that the Town of Carbonear approve for payment the following capital invoices:
Water, Sewer & Street Upgrading Water Street, Phase 2
PN 20-101, MA 17-GI-21-00075
Harris & Associates, Invoice # 6926.....\$4,421.00
Conception Bay Regional Community Centre Extension
Fougere Menchenton Architecture, invoice # FMA 22-0325.....\$5,548.75
Favour 7; Opposed 0; **Carried**

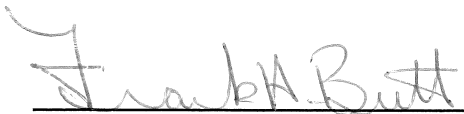
10. Regulations for Adoption
None listed.

11. Notices of Motion
No notices of motions were presented.


12. New Business
None listed.

- Mayor Butt congratulated Noel Motors on their 68th anniversary in operation.
- Councillor Doyle noted that June 4th is Household Hazardous Waste Day and Community Clean Up Day. This will be organized from the Community Centre Parking Lot. Information will be posted on the Town's social media. The Carbonear Volunteer Fire Department will be on site.
- Councillor Seymour noted that the Carbonear Volunteer Fire Department will be partnering with the Town and the Irish Connections Group in hosting a breakfast or lunch with the group in August.

13. Adjournment
Motion 22-170 **S. Slade / C. O'Grady**
Resolved that the meeting adjourn at 6:07pm and that Council meet again for a Regular Council Meeting on Tuesday, June 14, 2022 at 5:30pm.
Favour 7; Opposed 0; **Carried**



Mayor Frank Butt



Cathy Somers, Town Clerk