

Town of Carbonear
Regular Council Meeting July 21, 2022
Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, July 21, 2022 at 5:30pm

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

Members Absent: Councillor Peter Snow

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

Also Absent: Director of Operations & Public Works Ian Farrell

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1. Calling of Meeting to Order
Mayor Butt welcomed everyone to the meeting and called the meeting to order at 5:32pm. The meeting is being broadcasted through YouTube.
 2. Approval of the Agenda for July 21, 2022 Regular Meeting
Motion 22-207 S. Slade / D. Doyle
Resolved to adopt the agenda of the July 21, 2022 Regular Meeting of Council as presented to Council.
Favour 6; Opposed 0; **Carried**
 3. Adoption of the minutes
 - a) Regular Meeting – June 28, 2022
Motion 22-208 R. Noel / C. O'Grady
Resolved to adopt the minutes of the June 28, 2022 Regular Meeting of Council as presented.
Favour 6; Opposed 0; **Carried**
 - b) Special Meeting – July 13, 2022
Motion 22-209 S. Slade / D. Doyle
Resolved to adopt the minutes of the July 13, 2022 Special Meeting of Council as presented.

Favour 6; Opposed 0; **Carried**

4. Business Arising from Minutes
No business arising.

5. Proclamations / Presentations / Delegations
None listed.

6. Permits and Correspondence

- 6.1 Permit Listing # 9946-9998

Councillor Doyle asked Council to review the list of permits for possible conflicts.
Councillor O'Grady declared a conflict of interest on Permit # 9953 as it is for himself.
Councillor Seymour declared a conflict of interest on Permit #9951 as he worked on the project on that permit.

Motion 22-210

D. Doyle / C. O'Grady

Resolved to approve permits # 9946-9998, excluding #9953 and 9964 (Void) and 9951 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**

Councillor O'Grady left the meeting.

Motion 22-211

D. Doyle / R. Noel

Resolved to approve permits # 9953 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 5; Opposed 0; **Carried**

Councillor O'Grady was called back into the meeting.

Councillor Seymour left the meeting.

Motion 22-212

D. Doyle / C. O'Grady

Resolved to approve permits # 9951 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 5; Opposed 0; **Carried**

Councillor Seymour was called back into the meeting.

- 6.2 Correspondence, requiring Council's decision
a) Department of Transportation and Infrastructure

RE: 17-GI-22-00013 Valley Road Water, Sewer, and Street Upgrading Final Phase. Approval to call public RFP

Mayor Butt declared a conflict of interest on the matter as he has a brother who owns property in the area.

Councillor Noel declared a conflict of interest on the matter as he has a brother who owns property in the area.

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

Motion 22-213

C. O'Grady / M. Seymour

Resolved to proceed with Request for Proposal for prime consultant for the Valley Road Water, Sewer, and Street Upgrading Final Phase 4, Project # 17-GI-22-00013

Favour 4; Opposed 0; **Carried**

Mayor Butt and Councillor Noel were called back into the meeting.

Mayor Butt assumed the position of Chair.

6.3 Correspondence received and action taken

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

- a) Government of NL
Department of Municipal and Provincial Affairs
 - i) RE: Asset Management Plans
Forwarded to the Chief Administrative Officer and the Town Clerk
 - ii) RE: 2022 Municipal Long Service Awards – Elected Officials
Forwarded to the Chief Administrative Officer and the Town Clerk
- b) Resident concern regarding safety concerns Bond Street to Lemarchant Street and civic pride in the community.
Forwarded to the Public Works, Waste Management and Community Services committee
- c) Resident Adelaide Street
RE: sink hole on property
Forwarded to the Director of Operations and Public Works and the Chief Administrative Officer
- d) Property owner, Valley Road
RE: concern with driveway and sidewalk
Forwarded to the Public Works, Waste Management and Community Services committee and the Director of Operations and Public Works
- e) NL Foster Families Association
RE: National Foster Family Month – October. Request for sponsorship.
Forwarded to the Administration and Finance committee
- f) Resident request for garbage receptacles on Town Road
Forwarded to Public Works, Waste Management and Community Services

- committee
- g) Autism Society
RE: Request for information on adaptive lessons and sensory friendly swims
Forwarded to the Director of Recreation and the Recreation, Special Events, Tourism and Culture committee
- h) Property owner, Valley Road
RE: Complaint of roaming dog
Forwarded to the Municipal Enforcement Officer and the Public Works, Waste Management and Community Services committee
- i) NL Public Health Laboratory, Test results of water samples collected on May 31, 2022 at North Atlantic, Shell, Esso, Red Circle. Results marked satisfactory. Placed on file.
- j) Property owner, London Road
RE: Right of way
Forwarded to Public Works, Waste Management and Community Services committee
- k) CBN Legendary Car Club
RE: Request for donation 25th Annual Show and Shine from August 13-14, 2022. Paddy's Garden.
Included on the 2022 approved list of donations. Cheque to be completed.

7. Committee Reports

- a) Public Works, Waste Management, and Community Services
Deputy Mayor Slade noted that the committee met on June 27. Council can peruse and ask any questions. Deputy Mayor Slade presented the following motions:
Motion 22-214 **S. Slade / M. Seymour**
Resolved to send orders to the following properties:
 - *To remove the commercial vehicles at 31 Chapel Street located on residentially zoned property in violation of the Parking of Commercial Vehicle Regulations.*
 - *To remove the commercial vehicles at 28 Chapel Street located on residentially zoned property in violation of the Parking of Commercial Vehicle Regulations.*
 - *To send a demolition order to property situate 212 Water Street to remove the dilapidated building and other debris and other material on the property.*
 - *To send a demolition order to property situate 216 Water Street to remove the dilapidated building and other debris and other material on the property.***Favour 6; Opposed 0; Carried**

Motion 22-215**S. Slade / D. Doyle**

Resolved that the Town of Carbonear install a new street light situate at Hamilton's Lane in accordance with the Street Light Policy.

Favour 6; Opposed 0; **Carried**

b) Recreation, Special Events, Culture and Tourism

Councillor Seymour noted that some items reviewed during the committee meeting were deferred. The Director of Recreation can answer any questions on the recreation items and the EDTO can answer any questions relating to Tourism items.

Councillor Doyle asked for an update on the Willoughby Playground.

Director of Recreation advised that the stencil painting will be completed tomorrow and the basket ball nets will be installed next week.

c) Economic Development, Planning and Land Use Development

Councillor Doyle noted the committee met on July 13 and noted the following:

- The RFP for the Municipal Plan Review closed last week, several downloads with people interested.
- Reminded residents of the importance of obtaining permits for all development, including repairs and construction.
- There are over 200 businesses in our community, over the coming months we will be highlighting different types of businesses in the town.

Councillor Doyle presented the following motion as recommended by the committee:

Motion 22-216**D. Doyle / R. Noel**

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 operate an ice cream shop at 171-175A Water Street, conditional upon required services being available, customer parking on Water Street and the approval from the Department of Digital Government and Service;*
- *to construct a new dwelling at 14-16 Freshwater Road per Section 10, Discretionary Powers of Council and applicable approvals approval from the Department of Digital Government and Service NL;*
- *to complete exterior renovations to the building at 154 Water Street, conditional upon requirements of the Heritage zone;*
- *to complete renovations to the building at 192 Water Street for a retail rental unit, conditional upon requirements for the Heritage Zone and approval from the Department of Digital Government and Service NL;*
- *to utilize the main floor of the property located at 203-211 Water Street for office space conditional upon approval from the Department of Digital Government and Service NL.*

Favour 6; Opposed 0; **Carried**

Mayor Butt asked for the status of the Water Street Phase II project.

CAO advised that the design work is still be completed by the consultant. The electrical design is being worked on for the street lights. There are two parts, one for the water/sewer and road work and one for the street scape.

The water/sewer portion is submitted to government and we are waiting on government approval.

Council asked if staff have reached out to the consultant to see where we are in the process.

The preliminary plan for electrical is being reviewed by the prime consultant.

Deputy Mayor Slade noted this is a long time with no movement on the project, and it now looks like September or October before we get any movement on this project.

Concerns addressed by Council about the delay in getting this project started.

CAO advised it takes a while to get the Prime Consultant appointed and then there were some concerns expressed by down town business, preference for construction would be the fall.

It was noted that it would not be good for the downtown businesses to shut down an area of Water Street in the busy summer months. If project starts in the fall, the first coat of asphalt could be done in the fall, with the second coat in the spring.

CAO advised that once a contractor is appointed, we will be able to inform the business owners with an update. The town is committed to meet with the different businesses to consult with them once we have the proposed drawings.

Mayor Butt noted that a lot of businesses and residents are anxiously awaiting the start of that project.

Council requested the CAO to follow up with the consultant to obtain an updated on the project.

d) Administration and Finance Committee

Councillor O'Grady advised the committee met on July 18 and presented the following:

Motion 22-217

C. O'Grady / R. Noel

Resolved to adopt the Procurement Policy and Procedure (Policy A.3) – as presented to Council.

Favour 6; Opposed 0; **Carried**

Motion 22-218

C. O'Grady / D. Doyle

Resolved that the Town of Carbonear adopt the Tax Recovery Plan and Tax Recovery Actions & Plans for the Municipal Fiscal Year 2022.

Favour 6; Opposed 0; **Carried**

Deputy Mayor O'Grady noted the following:

- Discussion on the Line Road Fire Protection is deferred, as we would not have a quorum this evening without the council members who are considered to be in conflict of interest on the matter.
- Canadian Red Cross, Community Resilience Project
THE CRC Community Resilience team is implementing a 1-year pilot project in Atlantic Canada and is funded by the Canadian Red Cross and its purpose is to identify vulnerabilities in our communities, with a focus on social vulnerabilities, identifying gaps in resources and vulnerabilities imposed and exacerbated by COVID. The first step is to complete the community application selection process. The CAO will complete the form.
- The Town Clerk provided the committee with an update on the current year's tax collection, property tax is 85.48%, water/sewer tax is 80.91%, and business tax is 87.17% collected.
- Town Clerk will follow up on additional banking arrangements for additional banks to add Carbonear as payee for electronic banking.

Deputy Mayor Slade inquired on the matter of Fire Protection for Flatrock. Discussed.

The committee recommends completion of a notice to be posted on the properties in Flatrock informing them that the property is not protected by the Town of Carbonear Volunteer Fire Department. The Town will consider an agreement for the area in accordance with other agreements for areas outside its boundary.

Councillor Doyle inquired about and update on the Strategic Plan
CAO noted the EDTO need to summarize the findings, but she has been busy with the museums and other projects. EDTO advised she should have the "What We Heard" document ready for the next Council meeting.

8. Reports of Chief Administrative Officer and Department Heads

a) Director of Recreation

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

Pool & Rec Maintenance

- 1.) It has been a dry few weeks. Turf maintenance has pretty much come to a stand still. Staff are now getting to some more of our maintenance items over the last week. Have hired our third seasonal worker, so items should now get knocked off list in a relative timely fashion.
With the extra staff person, now have ability to complete maintenance items 7 days a week.

Installing a new storage area for the softball equipment. Extension on one of the dug outs for storage.

Willoughby playground has ball hockey nets in place and asphalt stencils are being painted tomorrow for exercise/play. Basketball net installation is slated to begin early next week.

- 2.) Have received a quote for scoreboard installation and waiting on some others. This venture may exceed what was budgeted and further discussion may be needed. Will update as soon as I have all info.
- 3.) I have received a quote for the installation of fencing around train. Waiting for a couple of others.

Financial & Program Analysis

	<u>2022</u>	<u>2021</u>
1.) Pool Revenue (less HST)	\$91,487.41	\$49,398.26
2.) Lesson Registration ----- numbers are up will update after next session		
3.) Pool Visitation	11,607	6,549

Programs & Grants

- 1.) Summer Program is well underway. Camp is at full capacity and Staff have been doing a spectacular job. Children have been well engaged and lots of fun being had. Children spent a morning on our Perry the Puffin Scavenger hunt and visited our museums while doing so. Spent a morning building cardboard boats, then racing them in the pool. Camp is headed to Salmonier Nature Park tomorrow for the day.
- 2.) Canada Day Celebrations were a huge success!! Over 500 people in attendance. Lots of activities and entertainment for everyone there. Summer student staff did an excellent job that day.
- 3.) Carbonear Day weekend is shaping up to be a great weekend next week. Dunk tank and Bouncy Castle will be part of the activities. Info will be posted when finalized.
- 4.) Annual Awards Ceremony is scheduled for next week, Wednesday, July 27th. Being held here at the Theatre starting at 7pm. Invited guests have been notified and all of Council and Staff are more than welcome to attend. I will send along an email invite to you all tomorrow.

Deputy Mayor Slade asked why the basketball nets are not yet installed.

Councillor Seymour noted that he feels measures need to be taken so that we don't fall behind with planned projects.

Councillor Doyle indicated that when we do budget consultations, we consider funds to hire an extra labourer for seasonal work in the recreation department.

CAO noted that Human Resource issues are not something that should be addressed in a Regular Council meeting. Councillor Noel noted some great

work is being done with the summer program. The softball season is slipping by. Scoreboard installation for the softball field should be a priority.

b) Fire Chief

The Fire Chief reviewed the following with Council:

- Things are going well at the Fire Hall
- Some members attended training since the last report to Council.
- During the fire on Water Street, fire department crews did a great job containing the fire from spreading to neighbouring buildings.
- Fire Department would like to know if there is any business operating from the old Fish Plant in Carbonear and information on the piping in the building and if there are still ammonia lines in the building. Requested if the CAO could follow up with the property owner.
- Old shed on Water Street, some problems with kids hanging out there. MEO to follow up on the matter and refer for discussion in Public Works Committee.
- Passed on our older Fire Pumper. It was actually put to use 5 times before we passed it on to another town.
- Large tree behind the Fire Hall, wondering if it can be reviewed, not on our property. CAO will look into the matter.
- CVFD had advisory out there to refrain from open fires. Fire Chief inquired if the Fire Department can implement a ban on open fires. CAO advised the Fire Department does not have the authority to put a ban in place.

Discussed.

CAO advised this is contained within the Open Air Fire Regulations, we would need to update these regulations if that is something you want implemented.

CAO to review.

It was noted that nobody is permitted to have an open fire without permission from the Town and the town is not issuing permits for open fires at this time.

CAO advised the Fire Department can put out a fire that is considered unsafe. Fire Department have gone and put them out in the past.

Councillor O'Grady inquired about the fire in Flatrock. He noted that Forestry was there on site and inquired as to who makes the call to Forestry. Fire Chief advised it works both ways, CVFD would call Forestry and they would send a water bomber, as they can deal with is much quicker than the Fire Department pumper.

Discussed.

CAO advised the CVFD would respond in any area where we have Fire Protection agreements. The Fire Department will continue to respond until such a time as they are instructed not to respond to a specific area.

Mayor Butt advised the Fire Dept will invite Council down to try out the new SCBA equipment

9. Finances

- a) Operating Invoices over \$2,000.00 in the amount of..... \$124,333.18

Motion 22-219 C. O'Grady / R. Noel

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$124,333.18 as submitted to Council.
Favour 6; Opposed 0; **Carried**

b) **Capital Invoices**

Water, Sewer, & Storm Upgrades, Adelaide Street – MA 17-MYCW-22-00030
Harris & Associates, Invoice # 6940.....\$1,500.00

This project goes from Grassey Lane to the intersection to Crossroads.

Councillor Noel declared conflict as his parents own property in the area.

brother who owns property in the area. Councillor Noel then left the meeting.

Motion 22-220 C. O'Grady / S. Slade

Resolved that the Town of Carbonear approve for payment the following Capital Project Invoices:

Water, Sewer, & Storm Upgrades, Adelaide Street – MA
17-MYCW-22-00030

Harris & Associates, Invoice # 6940.....\$1,500.00

Favour 5; Opposed 0; **Carried**

Councillor Noel was called back into the meeting.

10. Regulations for Adoption
None listed.

11. Notices of Motion

- a) The following Notice of Motion was presented to be voted on at the next scheduled Regular Council Meeting

Mover: Councillor O'Grady Second: Councillor Doyle

Resolved to approve the amendments to the Rules of Procedure as recommended by the Administration and Finance Committee and distributed to Council.

12. New Business

- a) Fire Protection Agreement Line Road
Deferred as several members of Council are in conflict on this matter and the remaining three members do not provide a quorum of council.
Deferred no quorum due to councilors in conflict.

Mayor Butt noted that on Saturday July 30, the Hibernia Project will take place on the Davis Earle Trail. Anyone can help, register as a volunteer, wear waterproof boots and bring a hammer. Sections of the trail have been identified. Bracing for some of the work will be done prior to the start of the project.

A social will be held in Paddy's Garden that afternoon after the project work is completed for the day

Deputy Mayor Slade noted that some of the boards on our boardwalk are wearing thin and asked if some of these boards could be replaced. CAO advised there is a budget for boardwalk repairs. We do replace boards as they are inspected. CAO will pass along to Director of Ops and PW to complete inspection and have any necessary repairs completed.

Mayor Butt noted there are a lot of events going on in town, visitors can log in to our website and facebook page to see the details on the various events.

13. Adjournment

Motion 22-221

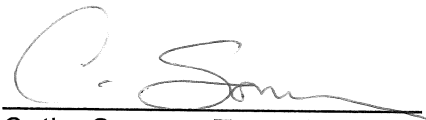
S. Slade / R. Noel

Resolved that the meeting adjourn at 6:48 pm and that Council meet again for a Regular Council Meeting on Tuesday, August 16, 2022 at 3:30pm.

Favour 6; Opposed 0; **Carried**



Mayor Frank Butt



Cathy Somers, Town Clerk