

Town of Carbonear
Regular Council Meeting October 25, 2022
Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, October 25, 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
Director of Recreation Rob Button
EDTO Kerri Abbott

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1. Calling of Meeting to Order
Mayor Butt welcomed everyone to the meeting and called the meeting to order at 5:37pm. The meeting is being broadcasted through YouTube.
Mayor Butt offered the town's condolences to the Gear family on the passing of Tom Gear, who was an employee of the Town for several years.
 2. Approval of the Agenda for October 25, 2022 Regular Meeting
CAO asked to add the Municipal Plan and Development Regulations Review and Fire Protection Mutual Aid Agreement with Bay Roberts to New Business.
Councillor Doyle asked to add Changes to Council Standing Committee structure.
Motion 22-306 R. Noel / M. Seymour
Resolved to adopt the agenda of the October 25, 2022 Regular Meeting of Council with the addition of the following items:
12(a) *Municipal Plan and Development Regulations Review*
12(b) *Fire Protection Mutual Aid Agreement Bay Roberts*
12(c) *Changes to Council Standing Committee structure*
Favour 7; Opposed 0; **Carried**
 3. Adoption of the minutes
 - a) Regular Meeting – October 11, 2022
Motion 22-307 M. Seymour / S. Slade.
Resolved to adopt the minutes of the October 11, 2022 Regular Meeting of Council as presented.

Favour 7; Opposed 0; **Carried**

- b) Special Meeting – October 19, 2022

Motion 22-308

Noel / Snow

Resolved to adopt the minutes of the October 19, 2022 Special Meeting of Council as presented.

Favour 7; Opposed 0; **Carried**

4. Business Arising from Minutes

5. Proclamations / Presentations / Delegations

6. Permits and Correspondence

- a) Permit application 46 Bemister's Hill, to replace patio.

Motion 22-309

D. Doyle / P. Snow

Resolved to approve a permit to replace the patio at 46 Bemister's Hill as per application submitted, not to exceed the size of the original patio, as per Section 10 Discretionary Powers of Council in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 7; Opposed 0; **Carried**

- 6.1 Permit Listing # 10088-10099, 10101-10103

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

Motion 22-310

D. Doyle / C. O'Grady

Resolved to approve permits # 10088-10103 omitting 10100 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 correspondence and approved the action taken on each item:

- a) Government of NL

- Department of Transportation and Infrastructure
Circular 2023-2024 Application period reminder
Forwarded to the Chief Administrative Officer and the Director of Operations and Public Works.
- Department of Municipal and Provincial Affairs

Fisheries Forestry and Agriculture Guidance for Avian Influenza collection and disposal.

Copied to the Chief Administrative Officer and the Director of

- b) Community Handicapped Association
Request for donation to the Annual Christmas Party taking place December 4 at the Royal Canadian Legion.
Forwarded to the Administration and Finance Committee.
- c.) Ronald Mc Donald House Charities NL
RE: Sockit 2022 Information package and merchandise – November 18, Wear signature RMHGC NL red and white stripped socks.
Forwarded to Council and Staff
- d) Concerned individual
RE: Request for parking enforcement at Trinity Conception Square Mall
Forwarded to Public Works, Waste Management & Community Services committee.
- e) Request for consideration to purchase from business
Forwarded to Administration and Finance committee

7. Committee Reports

- a) Public Works, Waste Management, and Community Services
Deputy Mayor Slade noted that the committee met on October 19
Council can peruse and ask any questions. Deputy Mayor Slade presented the following motions:

Motion 22-311

S. Slade / P. Snow

Whereas the agreement for waste management services with the Eastern Regional Services Board expires on June 30, 2023; and

Whereas there is an allowable extension under the agreement for a 1-year period;

Be it Resolved to extend the current agreement for a 1-year period to June 30, 2024.

Favour 7; Opposed 0; **Carried**

Councillor Noel inquired about response to property owner who is looking to purchase a right-of-way off London Road.

CAO noted that she advised the resident to make application to Crown Lands, then Crown Lands will require the Town's approval. We have had similar requests in the past and this is the normal process that is followed.

The subject property is not vested in the Town's name, so it is considered to be property of the Crown, and application to acquire the property would have to go through Crown Lands. They will consider the other properties bounding that property, but that will be the Crown's responsibility to review.

Councillor Doyle inquired about the water that is still pooling on Valley Road and what the plans are to correct it and to address ice during the winter season.

Councillor Noel declared a conflict of interest as his parents and sister own properties in the area.

The Director of Operations and Public Works advised that the consultant has come back with suggestions, which we will be looking into and town staff will monitor closely during the winter for ice control.

Councillor Noel was called back into the meeting.

Councillor Noel inquired when the side walk repair would be completed in the tunnel going in Valley Road. Director of Operations and Public Works advised he will follow up with the contractor to determine when he will be on site to complete the work.

b) Economic Development, Planning and Land Use Development

Councillor Doyle noted the committee met on October 19 and noted the following:

- Reviewed plan for war memorial. Legion will review the plan as well.
- Received inquiry on former Bankers Pub, it is proposed to go to tender for Sale with a two year development agreement.
- Fall Festival is very successful and currently still ongoing, Cut-outs, spider with fun-kins put in place, events are constantly being added to the schedule. Business passport had a record number of businesses involved. Great comments received on the activities.
- The MEO reported to the committee on a lot of non-compliance issues.
- Several applications requiring additional information to be submitted.
- Municipal Plan Review.

Motion 22-312

D. Doyle / M. Seymour

Whereas the current Municipal Plan and Development Regulations were prepared for a 10-year term from 2004-2014;

Be it Resolved to prepare a new Municipal Plan and Development

Regulations in accordance with the Urban and Rural Planning Act; and

Be it Further Resolved to give notice to Municipal and Provincial Affairs of the Town of Carbonear's intention to develop a new Municipal Plan and Development Regulations.

Favour 7; Opposed 0; **Carried**

- Application for vendor permit

Motion 22-313

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 operate a mobile hot dog cart selling hotdogs, fries and hamburgers (Austin & Corcoran Enterprise Ltd) from the property of 110 Columbus Drive.*
Favour 7; Opposed 0; **Carried**

c) Administration and Finance

Councillor O'Grady advised the committee met on October 20 and presented the following:

- Draft agreement with Flatrock

Motion 22-314

C. O'Grady / P. Snow

Whereas Section 184 of the Municipalities Act gives council the authority to enter into agreements for fire fighting; and

Whereas the community of Flatrock has requested fire fighting services from the Town of Carbonear;

Be it Resolved that the Mayor and the Town Clerk sign an agreement to provide fire protection services with the Flatrock Property Owners Group as formerly drafted by the Town's lawyer conditional upon verification of households to be protected in the area and the confirmed households being reflected in the agreement.

Favour 7; Opposed 0; **Carried**

Mayor Butt inquired about who plows the road to Flatrock.

CAO advised that the Fire Chief would make the call on that.

- Audit work is ongoing and should be completed soon.

- Tax collection is continuing.

- Sale of Property at 162 Water Street

Motion 22-315

C. O'Grady / P. Snow

Resolved that the Town of Carbonear tender for sale the property of 162 Water Street, with conditions of sale to include a two year development agreement of the property.

Favour 7; Opposed 0; **Carried**

Mayor Butt inquired about the conditions included in the agreement.

Conditions in the agreement provide for the property to revert back to the Town if not developed within a two year period. All conditions are identified in the agreement. Councillor Snow asked if an extension could be granted. CAO advised any request for an extension would have to come back to Council.

It was confirmed that this is the property on the northwest corner of Bond Street and Water Street intersection.

- d) Recreation, Special Events, Culture and Tourism
Councillor Seymour advised the committee met on October 20 and presented the following:
Councillor Seymour noted that there were a lot of items discussed by Committee. There are no motions coming forward from the Committee.

8. Reports of Chief Administrative Officer and Department Heads

- a) Director of Operations and Public Works
Director of Operations and Public Works presented the following from his report:

Capital Projects

- 2022 Paving Program
Awaiting IFA drawing set from consultant and hoping to call for tenders early in November. Will watch weather and move work to Spring 2023 if necessary.
- Demolition of 47 Water Street
Contract is signed and contractor is working on Safety Plan for submission and review. Contractor hoping to start work tomorrow.
- Powell Drive Street Upgrading Phase 2
Construction is expected to start during week of 24 Oct 2022. Most documentation is received and in good order.
- Replace Exterior Doors at Civic Centre
Expected date of delivery revised to 28 Oct 2022. Contractor advises they are ready to mobilize when materials arrive.
- Valley Road Phase 4
PCA with WSP (formerly Wood) is signed. Kick-off meeting occurred on 4 Oct 2022. SSSP is submitted and under review. Preliminary engineering expected to start during week of 02 Nov 2022.
- Water Street Phase 2
Call is gone out for tenders, 4 addenda issued, closing date currently planned for 24 Oct 2022, but expected to be pushed back.
Tender call has been cancelled, going over some design issues.
Sub-consultant raise some issues and will review with prime consultant, construction will then start in the spring–
- Adelaide Street Water Sewer and Road Upgrades Phase 2
Funding is approved and accepted by Council.
Next step is to determine procurement method for hiring a consultant.
Would like to start soon and be able to advertise tender call during Summer 2023.

b) Director of Recreation

Director of Recreation presented the following from his report:

Pool & Rec Maintenance

- 1.) Seasonal Maintenance has begun at our outdoor facilities. Winterization of buildings and seasonal grounds keeping has begun.
- 2.) Working on tender to replace some exterior siding at pool. Will be ready for release next week.

Financial & Program Analysis

	2022	2021
1.) Pool Revenue (less HST)	\$142,400.46	\$81,918.04
2.) Lesson Registration 952 586		
3.) Pool Visitation	17,218	11,002

Programs & Grants

- 1.) Fall Programming has started. All programs are being received well. Either at or near capacity.
- 2.) Final Swim Lesson Registration for 2022 will be taking place next week. November 1st-3rd . Will be in person, will bring forward some online options for next meeting.
- 3.) Halloween Swim/Costume Party planned for Friday Night. Annual trick or treat walk at Nell's Trail is this coming Saturday.
- 4.) Swim to Survive for the Grade 2 classes at Carbonear Academy will begin in the next week or so.
- 5.) Had initial start-up meeting With Tract Consulting for the Recreation Master Plan yesterday. Some good conversations and based on initial timelines some good work will be done in the next few weeks.

Councillor Noel inquired about quotes for the concrete work for the installation of the scoreboards. Director of Recreation advised one quote has been received and he is waiting on a couple of other quotes.

c) EDTO

- 30 Canada Summer Jobs positions, 1 post-secondary provincial student, and 2 Young Canada Works positions.
- Summer programming at Museum included ~30 events were held with mostly high attendance. Expanded on childrens events this year and continued seniors events such as the weekly tea party. Feedback will be incorporated into 2023 summer events.
- JCP project scope of work included painting of heritage buildings. Project will finish up early November.
- Hub of the Bay Harvest Festival included a mail out that specific targeted household incomes in geographical areas. Feedback has been that it has

succeeded in bringing people to visit and shop in Carbonear. EDTO will continue to improve on this.

- Physician and Nursing recruitment continues with initiatives in partnership with MUN and Reboot. New hires/recruits receive a Welcome Package from the Town upon arrival in partnership with Eastern Health. Cooking classes and language classes will continue later November and start up again in January.
- Carbonear Connect continues to grow- currently at 24%. Work continues to improve branding and communication through email, website and social media.
- Since the last EDTO report, 6 new businesses have opened in the Town. The need for walk-in ready commercial spaces is growing. EDTO continues efforts to attract hotels and franchises.
- Promotional video work continues, soon will have one video to release and use in promotion.
- ACOA Funding for Hub of the Bay Harvest Festival included money for funkins and displays. The displays and funkins can be re-used. Staff and public works department worked effectively as a team to get everything completed and in place for the Festival.
- Rec Department staff have been working to plant tulips for the Town to join the Tulip Festival.
- Funding Applications are being completed and submitted on an ongoing basis

Deputy Mayor Slade noted that the displays around Town looks fabulous.
Note of thanks to the staff involved.

9 Finances

- a) Operating Invoices over \$2,000.00 in the amount of..... \$150,070.97

Motion 22-316 C. O'Grady / P. Snow

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$150,070.97 as submitted to Council.
Favour 7; Opposed 0; **Carried**

10. Regulations for Adoption
None listed

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

12. New Business
a) Municipal Plan and Development Regulations Review

Discussed earlier in the Development Committee Report

- b). Fire Protection Mutual Aid Agreement Bay Roberts

Motion 22-317

S. Slade / R. Noel

*Whereas the Town of Carbonear and the Town of Bay Roberts agree that a Fire Protection Mutual Aid Agreement would be mutually beneficial; and
Whereas Section 184 of the Municipalities Act gives council the authority to enter into agreements for fire fighting;*

Be It Resolved that the Mayor and the Town Clerk sign a Fire Protection Mutual Aid Agreement with the Town of Bay Roberts.

Favour 7; Opposed 0; **Carried**

- c). Standing Committees of Council

Councillor Doyle noted that Council decided that we would meet and discuss changes to the Standing Committee of Council. Our current Rules of Procedures indicate that we have three councillors on each committee, however we have been operating with only two councillors on each committee. Discussed.

Mayor Butt advised he will send out an email asking council members to send in their preferences for committees, he will review and make suggestions for committees. Council to review on November 7th for approval.

- d). Capital Works Application

CAO advised that item 6.3a under Correspondence on the agenda requires a decision of Council.

Government of NL

Department of Transportation and Infrastructure

Circular 2023-2024 Application for Municipal Capital Works due on October 28.

Council previously discussed this matter and motions are required for the application to be submitted. Town Clerk can read the motions that would be required for the projects selected by Council in priority.

Priority #1 is Beach Road Sewer Sizing.

Mayor Butt declared a conflict of interest on this project as he owns property in close proximity to the project. Mayor Butt then left the meeting and Deputy Mayor Slade assumed the position of Chair.

Motion 22-318

M. Seymour / 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 \$480,790 for the purpose of Beach Road Sewer Sizing Upgrade, as Priority #1. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$96,158 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**

Mayor Butt was called back into the meeting.

Priority #2 Cross Roads Water Sewer Street Upgrade

Motion 22-319

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 \$898,034 for the purpose of Cross Roads Water Sewer Street Upgrade, as Priority #2. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$179,607 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**

Priority #3 Wastewater Systems Effluent Regulations Compliance Program Planning

Motion 22-320

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 \$150,000 for the purpose of Wastewater Systems Effluent Regulations Compliance Program Planning as Priority #3. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$30,000 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**

Priority #4 LeMarchant Road Extension Water, Sewer, Street Upgrade

Motion 22-321

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 \$1,147,439 for the purpose of LeMarchant Road Extension Water, Sewer, Street Upgrade, as Priority #4. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$229,488 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**

Priority #5 Water Street East Water, Sewer, Street Upgrades, Phase 1

Motion 22-322

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 \$1,207,653 for the purpose of Water Street East Water, Sewer, Street Upgrades, Phase 1, as Priority #5. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$241,531 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**

Priority #6 Screenhouse and Chlorine Building Upgrades

Motion 22-323

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 \$279,678 for the purpose of Screenhouse and Chlorine Building Upgrades, as Priority #6. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$55,936 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**

Priority #7 White's Road Water/Sewer/Storm/Street Upgrading

Councillor Noel declared a conflict of interest on this project as he has a sister and a brother who own property in this area. Councillor Noel then left the meeting.

Motion 22-324

D. Doyle / 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 \$1,127,000 for the purpose of White's Road Water/Sewer/Storm/Street Upgrading, as Priority #7. The Town of Carbonear agrees to provide its share of the cost-shared funding, \$225,400 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.

Announcements

Fire Hall breakfast this Saturday 9-11 am

Mayor Butt advised he attended proclamation signing NLCU Days last week.

Mayor Butt advised that he and Councillor O'Grady attended business luncheon in Hr. Grace.

Mayor Butt thanked the EDTO for her work in obtaining funding for the Harvest Festival project.

Mayor Butt congratulated the Town of Bay Roberts for winning a National Award in the Communities in Bloom competition.

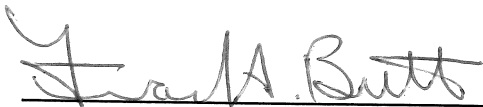
13. Adjournment

Motion 22-325

S. Slade / R. Noel

Resolved that the meeting adjourn at 6:49pm and that Council meet again for a Regular Council Meeting on Tuesday, November 8, 2022 at 5:30pm.

Favour 7; Opposed 0; **Carried**



Mayor Frank Butt



Cathy Somers, Town Clerk